THE POLITICAL DETECTION; OR, THE TREACHERY AND TYRANNY OF ADMINISTRATION, BOTH AT HOME AND ABROAD; DISPLAYED IN A SERIES OF LETTERS, SIGNED *JUNIUS AMERICANUS.*

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LETTERS, &c.

To the E—l of H———h.

July 19th, 1769.

AS *Junius* has paid your brother in office, the D. of G. ſeveral warm addreſſes, on the wiſe management of his department; and, as your L——p has conducted the buſineſs of yours with the ſame wiſdom and with the ſame ſucceſs, there ſeems no impropriety in paying you the ſame compliment. And, that the public may the better judge of your miniſterial conduct, I ſhall endeavour to ſtate the whole (as far as my memory furniſhes me with facts) from your firſt appointment to the Board of Trade, to this period.

A peace being then concluded; a vaſt extent of territory acquired; and the nation, as far as miniſterial influence would reach, made to aſſent and acknowledge, that though we had given up millions to a vanquiſhed enemy, the continent of *North America* had been cheaply purchaſed; we were amuſed with the hopes of ſeeing new

Colonies riſe, and had, indeed, ſolid grounds to expect everlaſting ſprings of wealth from thoſe already ſettled and cultivated. From hence every loſs was to be repaired, every burden to be alleviated, and all paſt calamities to be ſoftened into oblivion. This was the language of that very Board over which your L——p was placed. Have theſe bleſſings been produced? or, have we a right to expect them from preſent appearances? could they poſſibly ſucceed the meaſures you adopted? Your firſt attempts were to ſettle and cultivate the two *Floridas*, which, in *America*, are as the deſerts in *Aſia*; and may, like thoſe, prove the dwellings of deſperate villains; but can never be made uſeful or advantageous to the ſtate.

Your firſt attempt to regulate the ancient Colonies, was by ſtripping them of their paper currency, which had been one of the greateſt means of ſupporting their trade to theſe kingdoms; though you, at the ſame inſtant, ſaw (and muſt be ſuppoſed to concur in the meaſure) our own fleet, fitted out, to ſtop all the *Mexican* ſilver (which alone, could have replaced the neceſſary medium) from finding its way to them. You, at the ſame time, recommended the laying heavy burdens on their *Weſt-India* trade, by which they were formerly aſſiſted to pay the balance due to this country. You echoed back to the Premier the eſtabliſhing thoſe dangerous

Admiralty

Admiralty Courts, which ſtill continue oppreſſive to the faireſt trader; and, to complete the ſyſtem, approved, and adviſed that fatal ſource of diſcontent, the Stamp-Act. Here, (happily for *Great Britain*) ended your firſt *glorious* adminiſtration. Your ſecond is of the ſame impreſſion. The influence of the Butean party, of which your L——p is undeniably one, unfortunately led the legiſlature into a meaſure ſimilar to thoſe I have juſt mentioned, which would have been but aukwardly enforced by a Secretary, whoſe ſentiments were utterly againſt it. Hence it became neceſſary to diſcard him, and call for your aſſiſtance. The firſt matter of importance, (which, though very trifling in itſelf, became, by your L——p's *wiſe* management, not only important, but dangerous) was the circular Letter of the *Maſſachuſet*'s Aſſembly, to thoſe of the other Provinces, written with innocence, replete with loyalty, ſounding with harmony, and dictated by reaſon and good policy. Even this Letter you repreſented to your S———n, as factious, ſeditious, *&c.* and fell into deſpotiſm yourſelf, to make them obedient, by ordering the vote to be reſcinded, upon pain of their diſſolution. You recommended ſending Troops and Ships of war, to keep the peace. You ſhould remember, my Lord, theſe are not peace officers, and, as might well be expected, they were the firſt to break it. To intimidate the

people, you drew up Reſolves, and an Addreſs to his M——y, founded on evidence from Governor *Barnard*, the Commiſſioners of Revenue, Cuſtom-houſe Officers, and a few poor, expectant and dependent creatures, whom your L——p correſponds with in *Boſton*; and thereby, having impoſed upon, and deceived the legiſlature, ſanctified your deſpotiſm, at the expence of their laſt Liberties; (as appears in lively colours by the petition of the *Virginia* Aſſembly;) and, to complete your plan of folly and iniquity, you have recommended his M——y to confer honours on the man, who, though your friend and collegue, will never riſe above a * Proctor. For his inexpreſſible meanneſs, and a low cunning, are incompatible with the Governor, or Baronet.

Now, my Lord, ſurvey your meaſures, and their conſequences, in a few lines, from which I beg you to draw your character, as a Miniſter. Great and laſting bleſſings were promiſed. Do they appear? or are they now felt or acknowledged by the public? The two governments of *Florida* have been very expenſive; have buried vaſt numbers of thoſe glorious ſons of war, who fought our battles, delivered our country, and deſerved our utmoſt care and tenderneſs. They produce nothing but diſeaſes and lamentation. Taking away the paper currency of *America*, has

* This Tool of Oppreſſion, was a Proctor in *Doctors Commons*.

has indeed, huſhed the complaints of a few arrogant merchants; but, in return, has been attended with an immediate ſtagnation of trade, unparalleled diſtreſs, for want of a medium in the payment of *Britiſh* debts, and is cruelly felt in every corner of this kingdom.

Preventing the *Spaniſh* ſilver from the Coloniſts, has proved ſtill a much greater injury to the trade and manufactures of *Great Britain*, and has, for ever, I fear, loſt us that, the moſt lucrative of all branches of commerce; and, what is worſe, our enemies are riſing in wealth and power by our loſſes. The burdens laid on ſuch branches of commerce as we, from *Europe*, could not carry on, have had no other effects than diſabling the Colonies from paying for our manufactures. The Admiralty Courts have driven moſt merchants of eminence and ſpirit out of a trade, which could not be ſecured by law from their greedy avarice, and unlimited power; and the Stamp-Act, had it been continued, could not have produced any neat revenue, when there was no money in the country; though it muſt be owned, it has been attended with the moſt dreadful miſchiefs. The preſent revenues are founded on injuſtice, by yourſelf confeſſed to be anti-commercial, and the ſums produced, do little more than pay the ſalaries and expences of collection, though the people have, all along, paid the duties without

reſiſtance.

reſiſtance. Hence, no benefit can be expected to the public. Your pretence for enforcing and continuing theſe acts, is to preſerve and ſupport the dignity of Government, which every moment loſes ground, by a firm, ſerious, ſpirited oppoſition, and unalterable determination of all *America*. If you meant any thing by your commands to reſcind, you meant to keep the Colonies diſunited: this very command united them to a man. The Troops and Ships of war, have convinced the moſt phlegmatic in *America*, that their Liberties were in danger, and that rigid Virtue only muſt ſave them and their conſtitution: your Peace-officers, and armed Conſtables, have been the cauſe of the only conſiderable riot which has happened. The ſanction of part of the Legiſlature does not prove your meaſures legal; but has made you more deteſtable, and immoderately increaſed their love for thoſe men among them, who ſtood foremoſt in the cauſe of Liberty. And, though you have hitherto been able to deceive your S———n, and inſult his ſubjects; though you have repreſented innocent and legal meaſures of ſeeking redreſs, as factious and rebellious; though you have endeavoured to drive the beſt of men to deſperate remedies; they have diſappointed your expectations, and will, by the aid of their fellow-ſubjects in *England*, live to ſee you as contemptible in the eyes of your R—l Maſter, as you are now

to

to them. I have enumerated moſt of the important meaſures which you have, while in power, recommended or enforced; they are clearly, and in general, diametrically contrary to the intereſts of this country, as well as of *America*; and many of them have been attended with conſequences totally contrary to your own expectations and deſigns. You are come to your *ne plus ultra* (or, as your *friend B——d* elegantly expreſſes *himſelf*, to the end *of your tether*) and you had better reſign now, than increaſe your own perplexity, by adding new burdens to thoſe you have already brought upon the whole *Britiſh* empire. I ſhall take another opportunity to explain your motives, your principles, and connexions. Till then, I am,

With due reſpect and obedience,

Your L——p's humble ſervant,

JUNIUS AMERICANUS.

To the E—l of H———h.

Auguſt 20, 1769.

IN my former addreſs to your L———p, of the 19th of *July*, I ſtated ſome of the principal meaſures of your adminiſtration, and promiſed the public an explanation of your connexions, principles, and motives. For, though I myſelf have watched you in your public proceedings, know every charge to be ſtrictly true, yet to thoſe who are but little acquainted with the buſineſs of your department, ſuch a ſeries of unexampled blunders may appear too highly coloured, till ſome reaſons are offered to account for ſuch amazing errors.

Some men have been influenced to ſerve the public from the moſt noble and exalted motives, ſuch as univerſal love and benevolence; a laudable ambition for raiſing the dignity of the State; and abhorrence of public Oppreſſors. Others to gain the praiſes and adorations of their fellow-citizens, have ſtedfaſtly purſued the paths of virtue; have made themſelves the leaders of the People, and Champions for the great cauſe of Freedom, till the inducements to forſake both, have become too mighty to be reſiſted. And even after they have deſerted this cauſe with reluctance, they give up the hopes of retaining

taining popular confidence. Whenever we behold a riſing character, we charitably hope, and fondly wiſh, that the ſpirit of true Patriotiſm may fire the genius, and fill the ſoul; but you, my Lord, have never claimed the merit of even momentarily deceiving us with this pleaſing expectation. For, at your firſt appearance in the Senate, you diſcovered an inclination to ſerve the State, for a more direct, but leſs honourable reward; you ſoon loſt all influence and affection in *Ireland*, becauſe you ſoon diſcovered no love for that your native country; you early became deteſted, becauſe you early ſought to enſlave that kingdom. Who then but the Earl of *Bute*, would ever have inſulted this great empire ſo highly, as to employ you in any public office? Can any thing be more abſurd than to ſuppoſe, that a *man* who would have bartered away the liberties and property of a country, in which he was born and intereſted, could poſſibly ſerve this, where he was a ſtranger and had no property? Yet the abſurdity is not complete, till we recollect you was placed at the head of the Board of Trade and Plantations; and a ſeparate Colonian Department made out for you. As if he, who had ſo notoriouſly endeavoured to ſell one Colony, was the only perſon to be intruſted with the tendereſt intereſts of all. Your conduct has proved, what every one who knew your character expected. The Board of Trade is become the greateſt engine of oppreſſion to Commerce; you

have loſt us the Trade of our once valuable Plantations, with which that of theſe kingdoms muſt ſoon diminiſh. You have not only made yourſelf ſupremely contemptible throughout all *America*, but have, in the ſpace of about eighteen months, deſtroyed that neceſſary mutual love and confidence, which had ever ſubſiſted between that country and this, to the unſpeakable advantage of both.

There is one thing, my Lord, worth your own obſervation, as well as that of the public. That is, in all the calamities which we have lately experienced, and which you have been inſtrumental in bringing upon us, your name has always ſtood cloſely connected with thoſe deteſtable men, who are known to be the Tools and Partizans of the Earl of B—; your principles and motives are undoubtedly the ſame: for I remember an old Proverb—"Tell me the com-" pany, and I will ſhow you the man;" whatever opinion the public may have of them, they muſt therefore have the ſame of your Lordſhip;—you receive ſimilar wages, you muſt moſt aſſuredly ſhare a ſimilar fate;—you called the united voice of *America*, Mr *Otis*'s faction; you may perhaps for a time, ſtop his M——'s ears againſt the cries of *England*, as you did againſt thoſe of *America*, and a ſecond time deceive your honeſt, injured ———, by declaring the voice of the Nation and Common Senſe, to

be

be that of a ſeditious, diſappointed Party. But, know, my Lord, and tremble! the murmurs of an incenſed People, are juſt, they are univerſal, they muſt, they will reach the T——e. Therefore be prepared to enſlave your country, or ſecure your retreat from its juſt and awful vengeance.

JUNIUS AMERICANUS.

To the E—l of H——h.

October 9, 1769.

AS your L——p has hitherto devoted your attention chiefly to the laudable endeavour of riveting the chains of your own country; you may not, perhaps, have had leiſure to enquire minutely into the characters of thoſe with whom you have now connected yourſelf in the ſame views on the liberties of this country, and of *America*. I will therefore furniſh you with ſome leading tracks in their genealogy, which will aſſiſt your judgment. For, my Lord, you are ſo young in the ſervice here, that we may judge of your principles from thoſe with whom you aſſociate. The firſt of theſe characters is the Earl of B—, your patron and leader, under whoſe notorious banners you have liſted

in that honourable corps, denominated K—'s men. The only principle of this body, is that of ſupporting prerogative at all events; the conſtant aim of this faction for the C—n, is to remove, or render ineffectual, the conſtitutional limits ſet to the will of the ——, that is, to make him arbitrary. A fitter head than the Thane, I have mentioned, for ſuch a body, chance nor choice could not have diſcovered. Deſcended ſpuriouſly from a *Scottiſh* King, his predeceſſors have been ever diſtinguiſhed as devoted inſtruments of arbitrary power. Nor did the blood of Sir G—— M———, advocate for *Scotland*, and a ſecond *Jeffries*, which flowed into him from his grandmother, contaminate the original ſtream. If your L———p will therefore give yourſelf the trouble of enquiring under whoſe countenance Jacobitiſm and Popery, have lately raiſed their baleful heads in *North Britain*, you will find it to be under that of this Lord, his brother, and his ſecretary, who is of the rankeſt Popiſh family in *Scotland*.

The ſecond in this liſt of worthies, is one whom the public has had ſuch infinite reaſon to venerate in the ſeat of J——e, Lord M———d. If any one ſhould know who I mean, by hinting, that he is ſaid, ſome years ſince to have been arraigned for drinking the Pretender's health on his knees, I am not to blame; for indeed, my Lord, I abhor the action, and moſt ſincerely wiſh, he had received the puniſhment

it

it deſerved. His oratory, it is true, ſhielded him from puniſhment; but your L——p's ſagacity will diſcern, that eloquence, when it moves compaſſion, does not always extenuate guilt. His brother was leſs capable of diſguiſing his principles, and therefore followed the Pretender's fortunes in the character of his ſecretary; and died in his ſervice.

Lord H-ll—d will forgive me, if I make him but the third in this illuſtrious catalogue. His merits are indeed ſecond to none; but though he is now in the coach, by birth he is but one remove from the box. Far be it therefore from me to profane the ſacred name of *Scotch* heraldry; for he too owes his origin to *North Britain*. But as his father was not higher than coachman to a Duke, it is not probable he was more than couſin to ſome noble family in *Scotland*. His progenitor filled that office, in the ſervice of the atrocious Duke of *Lauderdale*, whoſe memory is crimſoned over with the blood of his countrymen. The ſervant roſe in his maſter's favour, probably, my Lord, by the ſame kind of *faithful ſervices* with thoſe by which a certain G——r has gained your L———p's moſt high eſteem, and the dignity of a Baronet of *Great Britain*.

I have been more particular in tracing the genealogy of this noble Lord, becauſe you have the honour of being related to him by marriage; and he is your L———p's counſellor and friend.

Theſe

These are the chief leaders in that Right Honourable band, from which this nation has ſo many bleſſings to expect; and in which many inferior characters, like your L——p, too numerous to be mentioned here, are arranged.

Could an almoſt total want of abilities have excluded you from among the Tools of deſpotiſm, the odium of your character had not paſſed St *George*'s Channel; you have now the melancholy proſpect of ſpreading it over all the *Britiſh* dominions. To the contemplation of this proſpect; I will now leave you.

JUNIUS AMERICANUS.

To the E—l of H——h.

October 12, 1769.

IN my preceding letters to your L——p, I have taken a general view of your conduct; give me leave now to be a little more particular.

Your L——p's entrance into a new department for *North America* was at a critical time, when a ſenſe of freſh attempts made on their liberties, had raiſed in our Colonies a general diſpoſition to complain. To complain, is a privilege, which even the deſpotiſm of *Turkey* does

does not deny its wretched ſlaves; and inſtances have occurred even there, of the heads of very arbitrary Baſhaws, falling a ſacrifice to the reiterated complaints of the people. But your L——p would refine on Eaſtern tyranny, and ſtifle even the murmurs of miſery in the oppreſſed ſubject.

In this true ſpirit of modern miniſters, you tranſmitted a circular letter to every G——r on the continent of *North America*, enjoining them to diſſolve their reſpective aſſemblies, ſhould they attempt to complain. In what words ſhall I admire your L——p's wiſdom, who thus planned the ſupport of government, by the diſſolution of all government? But I beg your pardon: you had in reſerve a mode of government, in your judgment, infinitely better than the one eſtabliſhed by the conſtitution; I mean that of the Military. My Lord, may I felicitate you on this laudable expedient? Has it ſucceeded to your wiſh? Have you been able to re-act on the Common of *Boſton*, the glorious tragedy of St *George's Fields*, and emulate in the fame of that brilliant day, your renowned co-adjutors in office, the Lords B——g—n and W—y——h?

To effect this change of civil into military government, you entered into a cloſe and confidential correſpondence with G—— B——, who was the avowed incendiary of *America*; and with the Commiſſioners of C—t-ms in *Boſton*, who were perſonally, as well as officially, the objects

jects of univerſal abhorrence and contempt. For they were men, who to the odium of former bad characters, added the deeper guilt of treachery, in becoming the willing inſtruments of oppreſſion over their fellow-ſubjects.—It was obvious you were in a fair way of receiving the moſt *impartial* and *conciliating intelligence* from ſuch *informers*.

Inſtigated by theſe counſellors, but above all, by that truly conſtitutional ſpirit of adminiſtration, which taught them *effectually* to ſupport the civil Magiſtracy by military force, your L——p commenced hoſtilities in form, both by ſea and land, againſt the town of *Boſton*. Your Generals then reaped laurels abundantly, and tranſmitted them to you in the triumphant aſſurance, that *they were in full poſſeſſion of the town*. Such was their phraſe for *quartering troops there in defiance of the law*, and making a hoſtile parade in the midſt of peace. Encouraged by them, the common ſoldiers ſpurned at all civil authority, abuſed the inhabitants, aſſaulted the officers of juſtice, and carried the law on the points of their ſwords. Theſe were *glorious times!* but alas, my Lord, all human triumphs are frail. Your troops have been obliged to abandon their conqueſts; and all their laurels are blaſted. *Cuſhing* ſtill lives; *Otis* harangues with ſpirited firmneſs; and the civil power begins to reſume its hated offices: nay worſe, the day of retribution approaches, and your L——p

muſt

muſt anſwer *for having invaded the privileges of a free aſſembly, by a threatening letter, and having infringed an act of parliament, in quartering troops in* Boſton, *expreſsly contrary to law.*

Theſe offences, my Lord, are rank, they ſmell to heaven. Your crimes are great, the proofs are pregnant, and vengeance will purſue you, even under the protection of *your Thane.*

The prejudice, artfully infuſed into mens minds by your Tools, the enemies of all conſtitutional liberty, "That the *Americans* were ſe-"ditiouſly oppoſing the juſt authority of this "country," has prevented the people here from paying that attention to the complaints of their fellow-ſubjects in *America*, to which their hatred of arbitrary power would naturally have diſpoſed them. Under the protection of this prejudice, your L———p has too long conducted your deſpotic ſyſtem unmoleſted. But this evil is daily removing, and I hope a little time will lay your character and conduct before the public in their genuine luſtre. And truſt me, my Lord, it ſhall not be my fault, if any light be wanting, to demonſtrate how true you have been to thoſe principles, which have ever actuated your patron, and rendered him moſt execrable.

It was preciſely on the principles which recommended you to his choice, that your L——p has advanced the diſappointed Tools of deſpotiſm in the Stamp-Act, to offices of reſpectability and truſt in *America.* The appointments in

the Judge-Admiralty Courts, and in the Deputy Governorſhip of N— C——a, of men, contemptible in character, abilities, and fortune, were ſufficient to have reflected diſreſpect on any offices. Men who had nothing to recommend them but the alacrity they had before manifeſted, in aiding to violate the ſacred rights of their country. As if, in your L——p's eſtimation, the Stamp-Office was the beſt ſchool for Judges and Governors, and that they, who had betrayed their fellow-ſubjects, were moſt likely to judge among them uprightly, and govern them with moderation. The temper of the times called for *conciliatory meaſures*, and your L——p *wiſely* met this temper, by *irritating reſolves*, and by proſtituting a title on him, whom a malignant endeavour to kindle an unextinguiſhable and fatal enmity between *Great Britain* and her Colonies, had raiſed from *contempt* to *deteſtation*. Will you, my Lord, give me leave to *augur ill* of theſe proceedings; that the effect of them muſt be to excite univerſally the hatred of the people? and *Cicero* will inſtruct your L——p, that the hatred of the people is able to ruin the moſt abſolute authority. You have ventured to make the trial: tremble at the iſſue.

JUNIUS AMERICANUS.

To the E—l of H———h.

February 16, 1770.

IT is ſo long ſince I had the honour of addreſſing you, that you perhaps may have been flattered, your conduct, with reſpect to *America*, had undergone the ſevereſt ſcrutiny; and every thing reprehenſible in it had been fully expoſed to the public. Equally happy would it have been for your L——p, and for *America*, if this were true. Certain it is, that the moſt unwarrantable, I ſpeak tenderly, and injurious of your meaſures, remain to be held fully forth to public cenſure. Perhaps too, my Lord, when juſtice reſumes her ſword, and the thunder of impeachment burſts forth, they may bring you to public puniſhment.

The firſt charge againſt you ariſes from a deſign to diſſolve the Aſſembly of *Maſſachuſet*'s Bay, for not obeying your official mandate, and to provide for the ſupport of government, without the intervention or authority of the Legiſlature. Your L——p's hiſtorical knowledge will inform you, that ſuch was the deſign in this country, of thoſe wicked Miniſters, whoſe evil counſels brought to the ſcaffold their ill-fated maſter, *Charles* the Firſt. Their intention was to govern this kingdom without a Parliament;

your's was, to govern the provinces of *America* without their Aſſemblies.

This deſign of your L——p, appears from your Letter, N° 9; not from my expoſition of it, but that of one whom you will not even ſuſpect of partiality to me or my cauſe, the confidential friend of your generous and noble boſom, Sir F—— B——. Let the words of this able and upright G——r, ſpeak at once for your L——p's conſtitutional views, and my veracity. In his Letter, dated *Boſton*, *Auguſt* 6, 1768, he ſays, "Your L——p ſignifies to "me, that if the diſſolution ſhould operate to "the diſcontinuance of any neceſſary eſtabliſh-"ment, care will be taken for the ſupport of "Government. *By this it is plain*, that your "L——p does not expect that I ſhould call "a new Aſſembly; for in ſuch caſe your L——p "would have directed me to call on the new "Aſſembly, to renew the diſcontinued eſta-"bliſhment."

Your L——p will perceive how much we are obliged to the candor and ingenuity of your friend, for giving us both the text and the comment; a comment, which from any one but ſo cordial a friend, might appear to be *ſet down in malice*. And every impartial reader will judge, whether the charge brought againſt you by G——r B——d, of intending to provide for the ſupport of Government, without calling a new Aſſembly, be upon good ground; and whether

ther ſuch an intention be not as criminal now, as it was in the laſt century.

The next meaſure of your L——p upon which I ſhall animadvert, is *your order to General* Gage, *to quarter Troops in the town of* Boſton. You knew, my Lord, or ought to have known, that the law of the land, an Act of Parliament, forbad the quartering Troops in any town in *America*, unleſs the barracks were filled, and that "in ſuch, and in no other caſe, and upon "no other account," it is made lawful for the *Governor and Council only*, to provide for the quartering of the *reſidue*. Yet in your Letter of the 8th of *June*, 1768, you command General *Gage*, "forthwith to order one regiment, or ſuch "force as he ſhall think neceſſary, to *Boſton*, "to be quartered in that town." It muſt be confeſſed that perſpicuity in writing is not your L——p's talent, but there is little doubt of your meaning by this order, that not only Troops ſhall be directly quartered in the town, contrary to law, but that the General and his Officers ſhall quarter them, which is another violation of the Statute. It is probable you think, my Lord, that laws were made for the reſtraint of little and ignoble ſouls, but that a mind great and noble like your L——p's, and teeming with exploits of vaſt pith and moment, ſhould act unfettered by ſuch baſe controul. Therefore when your L——p had conceived the magnanimous idea of beſieging *Boſton*, which in the ſame

Letter

Letter you obſerve with infinite ſagacity, "might "lead to conſequences not eaſily foreſeen;" ſuch petty objects as the law of the land, and the conſtitutional rights of the ſubject, fell before the greatneſs of the deſign.

The weakneſs of your conduct, my Lord, had it not been leagued with the moſt arbitrary and pernicious principles, ſhould have paſſed with me in ſilent contempt. Not that I believe that my opinion will give you any uneaſineſs, while you have the approbation, and moſt cordially you have it, of that nobly born and moſt illuſtrious perſon, Sir F——s B——d, Baronet, of *Nettleham*. You, and the reſt of the *K—'s friends*, deſpiſe the voice of thoſe *baſe-born* people who compoſe the public; and as one of the moſt ſpotleſs of you lately expreſſed it, are indifferent whether you are huzza'd or pelted in the ſtreets. Provided, I ſuppoſe the Noble Lord meant, that you might continue plundering and oppreſſing the public, without further moleſtation.

I come now to a meaſure, by which your L——p laid the foundation for aboliſhing at once, the whole ſyſtem of civil liberty in the Colonies, by *rendering the military power in* Boſton, *ſupreme and uncontrolable*. I love to ſpeak from good authority, and therefore ſhall draw my proof from your amiable friend Sir F——s B——d his anſwer to a meſſage from the Houſe of Repreſentatives of *Maſſachuſet's* Bay, on the 31ſt of *May*, 1769.

"GENTLEMEN,

" GENELEMEN,

" I have no authority over his Majeſty's ſhips " in this port, or *his troops within this town.*

FRANCIS BERNARD."

If the Governor, the ſupreme Magiſtrate, and the immediate Repreſentative of the King, had no authority over the military in the very capital of this Province; will your L——p be pleaſed to tell us who had? Any common ſoldier in *Boſton* would anſwer the queſtion; and it was in conſequence of their knowing their ſupremacy, that a body of them, countenanced by Colonel *Dalrymple*, and another Officer, marched with their ſwords drawn to a Juſtice's houſe, and reſcued a Soldier from the Civil Officers. Did Governor B——d ever call upon Colonel *Dalrymple* and the Officer, to anſwer for this outrageous violation of the Civil Authority, and defiance of all legal Government? Or did your Lordſhip ever do it, or do you ever intend it? Did the Faction, as Governor B——d, the Commiſſioners, and your Lordſhip have denominated all the well-diſpoſed people in *Boſton*, ever commit an offence againſt Government ſimilar to this?

And now, my Lord, I muſt ſeriouſly entreat you to conſider what you have done, or intended to do;—to govern without the conſtitutional intervention of Aſſemblies; to quarter Troops in *America* directy contrary to Act of Parliament;

liament; and to advance the military above the civil power. Your Lordſhip is, I ſuppoſe, very converſant in our hiſtory, and I beg you to conſider, whether the whole of my Lord *Clarendon*'s conduct, with reſpect to the Colonies, was half ſo criminal as any one of theſe meaſures: Yet one article of his impeachment is, "that he had "introduced an arbitrary Government into his "Majeſty's ſeveral Plantations." The honour and juſtice of *England* combined at that time, the grievances of this Country, with thoſe of *America*; and the Colonies muſt now appeal to the ſame principles in this nation, for bringing their oppreſſors to public juſtice by the conſtitutional mode of impeachment, which the Coloniſts have it not in their power to exerciſe. By theſe means only, can the adviſers of theſe arbitrary and illegal meaſures be brought to condign puniſhment.

JUNIUS AMERICANUS.

To Sir F——s B——d.

October 25, 1769.

FROM developing the character, connections and conduct of your Patron, L— H——, I come now to an enquiry into thoſe of his favourite Governor. From birth, Sir F——, you derive no ſplendor; it would even take more trouble, than I am inclined to beſtow upon a

ſubject

ſubject ſo inſignificant, to draw it from abſolute obſcurity. From abilities, neither would you ever have claimed attention, had it not been for the memorable æra of the Stamp-Act. It was then that your Excellency ſtept forth, and juſtified this obſervation of an incomparable female hiſtorian, that "grovelling inſtruments of oppreſſion are ever inſolent in office, in proportion to the baſeneſs of their education, and "the ſervility of their natures." You became from that period, the incendiary of *Great Britain* and her Colonies, and the eligible inſtrument of eſtabliſhing deſpotiſm in *America* to that ſet of men, who were meditating the ſame deſtruction to the conſtitutional liberties of *England*.

You are now to appear at that tribunal, from which there is no earthly appeal; the tribunal of the public. Here the upright magiſtrate has every thing to hope, the oppreſſor every thing to fear.

I begin with your firſt appearance during the Stamp-Act: your repreſentation then was, that *the intention of the Colonies was to render the authority of* Great Britain *contemptible*. This charge is brought againſt you, in the moſt ſolemn manner, by three and thirty Lords, ſpiritual and temporal; the validity of it therefore is hardly queſtionable *. The intention of that repreſentation,

* See the Proteſt of the L—s againſt committing the Bill for repealing the Stamp-Act.

ſentation, Sir F——, is equally obvious: To inflame the minds of his Majeſty's Miniſters and of the Legiſlature, ſo as to divert their attention from the *juſtice* of the *American* complaints, to a *criminal and exaſperating intention* in their oppoſition, which exiſted only in the malignity of your own heart. Governed thus by *ſuppoſed intentions*, and not by *real facts*, this country was to have denounced war againſt her Colonies, and to have cut aſunder, with her own ſword, the ſinews of her commerce and of her wealth, to gratify the malice of an arbitrary, provincial Baſhaw. Happily, however, your views were at that time diſappointed; and your vengeance reſerved for a more favourable opportunity, which too ſoon preſented itſelf in the advancement of your preſent Patron to the *American* department. The Stamp-Act was repealed, and the thanks of the *Americans* for the repeal were tranſmitted in Addreſſes to our moſt gracious Sovereign, without once mentioning the *declaratory Act*, which threw a melancholy ſhade on the future proſpect. So far were the Colonies from ſeizing every ground of complaint, or being ſolicitous to draw into contempt the authority of *Great Britain*. Every thing was now quiet in *America*, ſo that even in your own Government, the people acted "with temper and moderation." May we not conclude then, Sir F——, that your charge was as groundleſs as it was malicious? A charge, in which you were ſupported by one

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other Governor only, the unhappy old man at *New York*.

The tranquillity of *America*, and the harmony between the two countries, were now reſtored; and would, in all probability, have laſted for ever, had not the ſame arbitrary and offenſive ideas been reſumed, and drawn into exerciſe over the Colonies. The Duty-Act excited the alarm that had ſubſided; and furniſhed, to your ardent wiſh, a freſh opportunity of miſrepreſenting and embroiling the affairs of *America*. In this laudable ſpirit, we trace you next inveighing, in your letter to the Earl of *Shelburne*, againſt the circular Letter from the Repreſentatives of *Maſſachuſet*'s Bay, to the other Houſes of Aſſembly; which was ſolely to inform them, that the Houſe had voted an humble, dutiful, and loyal Petition to his Majeſty, laying before him the grievances they ſuffered from the late Revenue-Act, and praying his conſtitutional interpoſition for their relief: to make the prayer of which petition more ſucceſsful, they deſired the concurrence of the other Houſes. As the grievances ariſing from the Act were general, the propriety of a general Petition for relief was obvious; and it is left to your Excellency to point out, what method an aggrieved people can adopt, more loyal, more innocent, and more conſtitutional, than petitioning the Throne. In your Letter, however, you repreſent this moſt dutiful and moderate tranſaction, as an "undertaking

" calculated to inflame the whole Continent,
" and engage them to join together in another
" diſpute with the Parliament, about the au-
" thority of the latter; and that if the Act com-
" plained of ſhould be given up, all other Acts
" of *American* revenue muſt follow *."

Thus you flattered yourſelf with having fixed an early prejudice againſt the juſt repreſentations of the people, and an unſurmountable bar to the redreſs of their grievances. But the Noble Lord who then preſided over the affairs of *America*, impreſſed with a true ſenſe of the conſtitutional rights of the Colonies, viewed your attempt in its proper light; and you would have met with what you deſerved, another diſappointment, had not the department fallen, in an evil hour, to one perfectly fitted for your purpoſe, which was, in truth, to inflame the whole Continent, and renew the diſpute ſo little profitable to either country. How happily your Patron and you have ſucceeded in this, the ſtate of *America* from that time to this, will abundantly demonſtrate. You have had the pleaſure of hearing your own words re-echoed back from the empty heads of your ſuperiors here; your plans have been adopted, and have kindled flames which rendered you unſafe in *America*, and may conſume you here. *Raro antecedentem ſceleſtum, deſeruit pede pœna claudo.*

JUNIUS AMERICANUS.

* See his Letter, *February* 18, 1768.

To Sir F——s B——d.

November 3, 1769.

I Left your Excellency hardening the mind of the Miniſter, againſt every juſt and favourable impreſſion for *America*; and infuſing prejudices, which, if imbibed, muſt (unleſs he departs from his known diſpoſition) incite him to enforce oppreſſion by military power. Nothing can be conceived more contemptible, than the low detail you entered into of every trivial circumſtance, of every coffee-houſe bable, and even this hideouſly caricatured to your purpoſe, in your Letters to the Secretary of State. The public will be furniſhed with them in due time, and will perceive how deſpicable and weak you are, even in artifice.

Deſpicable, however, and weak as your artifices were, they operated on L— H——, *like proofs of Holy Writ.* All the flimſy and abuſive coinages of your pernicious imagination he got by rote, and eternally retailed with the ſame wiſdom that a parrot calls names, or a pious Catholic repeats his Pater Noſter.

You wiſely prognoſticated, that "if the late Duty-Act ſhould be repealed, all other Acts of *American* revenue would follow." Let me congratulate L— H——, that, in this particular, he ſeems to have emancipated himſelf from his

his uſual implicit obedience to your oracular obſervations. For we find that his L——p's aſſurance of having this Act repealed next Seſſion, has circulated through the whole Continent: and his reaſon is, that the Act is inconſiſtent with the true principles of commerce. It is ſomewhat unfortunate, that he ſhould have been ſo long in diſcovering this, when it was ſo early and repeatedly demonſtrated to him, that one would preſume even Dullneſs itſelf would not have ſhielded him ſo long from a true conception of its pernicious tendency. But poſſibly, this Noble Lord thinks, that riches flow too copiouſly into this nation by the channels of commerce, and that ſtopping them up *for a year*, or *narrowing them for ever*, will be of national benefit.

Were not the ſubject of your miſrepreſentations, Sir F——, to the laſt degree, great and grave, involving in it the fate of millions, and, eventually, the Liberties of the whole empire; one could not avoid ſmiling with equal contempt at your treachery, and at your Patron's folly. Yet let me be candid, and confeſs, that to *you* ſome degree of indulgence is due, from the impoſſibility that one of your birth and education ſhould poſſeſs higher or more juſt conceptions of the duties of a Governor.

It cannot be preſumed, that ſuch a man ſhould entertain ſentiments in any degree worthy the repreſentative of an illuſtrious Prince. And, give

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me leave to ſay, that the Poet's obſervation of *quo ſemel eſt imbuta recens ſervabit odorem, teſta diu*, was never more fully illuſtrated than in the numerous quirks and quibbles which have diſtinguiſhed your Excellency's altercations with the Aſſemblies of your Province.

Your Excellency had repeatedly made repreſentations to the Secretary of State's Office, of the neceſſity of ſending Troops to *B—-n*, without giving any facts on which ſo violent a meaſure might, with propriety, be founded. For, indeed, there were none. The civil magiſtracy had, in no inſtance, been oppoſed; the Revenue-Act, odious as it was, had been ſubmitted to; and ſeizures made, *in the common mode*, without oppoſition. The wiſdom and virtue, therefore, of Lord *Shelburne*, treated thoſe idle and and malicious informations with the contempt they deſerved; but his ſucceſſor in office, yielded to them his heart and his faith.

The Miniſter was charmed with a Governor ſo ſimilar to himſelf; we therefore find the order from L— H——— to General G——, to ſend Troops, dated the 8th of *June*, before the riot about the ſeizing the ſloop Liberty had happened. I ſay, before this riot happened, becauſe the neceſſity of ſending them is, in the Reſolves he afterwards drew up, founded on this riot, and on the ſubſequent tranſactions of the town.

I am now, Sir F——, to trace you through this dark buſineſs of the riot, and to ſhew that

it

it was contrived by you, to give ſome credit to your injurious repreſentation; in conſequence of which, you were well aſſured, a military force would be ſent to *B——n*. To accompliſh this, it was neceſſary you ſhould be on good terms with the Commiſſioners, that you might influence them to direct ſome arbitrary proceedings, to occaſion the diſturbance you wiſhed. In this you ſucceeded; for, in your Letter of the 19th of *March*, 1768, you ſay, "The Commiſſioners, "with whom (I mean four out of the five) I am "upon the moſt intimate terms," *&c. &c. &c.* It is confeſſed too, by the Collector, that the Chair-man of the Commiſſioners, one of your intimates, was the perſon who adviſed the delivering the veſſel, when ſeized, to the man of war. The Collector and Comptroller jointly aſſure the Commiſſioners, that the ſeizure was the means of inflaming the minds of the people. Had not this buſineſs been pre-concerted, we ſhould not have found thoſe four Commiſſioners perſiſting in their plan, of flying from the town, and calling for military ſupport.

The riot happened on the 10th of *June*, in conſequence of the Officers ſeizing, and carrying away by force, the ſloop Liberty. The next morning the Council met, and finding every thing quiet, deſired the Governor to inform the Commiſſioners, that there appeared no reaſon to apprehend any farther diſturbance; and that they had appointed a Committee, who were in the

the Commiſſion of the Peace, to examine into the late riot.

It might have been expected, that ſuch an aſſurance, and ſuch attention to their ſecurity, would have quieted the fears, which the preceding diſturbance had occaſioned in the Commiſſioners; eſpecially as we find the Governor dined with them that day, and ſhould have naturally related to them the proceedings at the Council-board. But, inſtead of this, they pretend to ſee the danger magnified, and two of the four *confidential* Commiſſioners fled that night on board the man of war, affecting great apprehenſions of inſult and outrage to the whole Board, if the Commiſſioners remained in town. The next day the other two followed. Mr *Temple*, the fifth of them, *who was not in the ſecret*, remained in the town, unthreatened and unmoleſted. After their flight, they received freſh aſſurances from the Council, that there was no appearance of danger; and the Collector and Comptroller informed them, that all Mr *Hancock* (who owned the ſloop) and the people deſired, was, that the veſſel ſhould be returned to her moorings, on condition that Mr *Hancock* gave ſufficient ſecurity for the delivery of her, ſhould ſhe be condemned; and they add their opinion, "that it would be a meaſure of policy "to take this ſecurity, and releaſe the ſloop, "for the preſervation of the officers and tran-"quillity of the town." But the Commiſſioners

voted that requeſt a menace, that they were in imminent danger, and retreated, with Governor *Bernard*'s aſſiſtance, into *Caſtle-William*. On the 14th a Town-meeting was held, in which a Petition to the Governor was voted, to ſupplicate his interpoſition to ſave the people from thoſe violent and arbitrary proceedings of the officers of Cuſtoms. So far were the people from intending to redreſs themſelves, or uſe any violence. Of the particulars of this meeting, the Commiſſioners were that night informed, *by their ſpy, who attended it*; who mentions, that the minds of the people were quieted, and that the Tide-waiters were allowed to continue in the meeting, profeſſedly, that every one might enjoy his right of hearing what was ſaid. This bore the ſtrongeſt appearance of peace and good order, and would have ſatisfied the Commiſſioners, had it been their plan to receive ſatisfaction. It was not ſo; and therefore, the next day, they wrote a circular letter to General *Gage*, Colonel *Dalrymple*, and Commodore *Hood*, informing them, "That the riot was now increaſed to an appearance of actual inſurrection; and deſiring troops to ſupport them in "their office." The ſeizure they ſtill maintained in deſpight of the people, nor did any diſturbance enſue. It muſt be obſerved, that whatever impreſſions of fear might have been made at firſt, their apprehenſions muſt have been removed, by perceiving that two of their

their obnoxious number, who remained on ſhore the night on which they pretended to dread ſo much, received no injury; and Mr *Temple*, with Mr *Venner* their Secretary, continued in the town, without ever being inſulted. This the Comptroller confeſſes, in his examination at the Treaſury-board.

From this detail of theſe tranſactions, it muſt, I conceive, be evident to every reader, that it was not the *real* ſituation of things in the town, which could govern or juſtify the proceedings of the Commiſſioners; but that they acted conformable to a *preconcerted plan*, from which they were determined nothing ſhould divert them. The facts are taken from their own Memorials to the Treaſury, and other papers laid before the Houſe of Commons.

From unfolding the conduct of the Commiſſioners, I return now to take a view of that of G——— B——. The Council, as was mentioned before, had appointed a Committee to enquire into the facts relative to the riot. This ſhould have been *public*, *fair*, and *authentic*; but it was not for the G———r's purpoſe that a true inquiſition ſhould be taken; it was requiſite for his views, that he ſhould have it in his power to make what repreſentation of it he pleaſed.

In purſuance of this ſcheme, we trace him in the minutes of Council, on the 13th of *June*, propoſing, "That the inquiry into facts, relating

" to what happened on *Friday* night laſt, " which had been deſigned for this morning, " be poſtponed." The Council therefore reſolved, that there was no immediate danger of freſh diſturbances; and that the enquiry ſhould be referred to a Committee of both Houſes. Soon after this, the G———r diſſolved the Aſſembly, for not reſcinding; and it remained with him to make as partial and inflammatory a repreſentation as he pleaſed, without danger of immediate contradiction.

It is happy, Sir F——, that bad men are not always wiſe; and that the contrivers of evil, ſeldom look forward enough to prevent detection. Thus, having ſecured a military force, and diſſolved the Aſſembly, you thought the chain was effectually fixed, and your tyranny eſtabliſhed. Not foreſeeing that an Aſſembly might again meet, that a ſpirited Council might counter-act you, and the means by which you had effected this miſchief, in being diſcovered, might bring you to a ſhameful fate.

I have not the leaſt doubt, that your fellow-labourers here were governed by the ſame improvident confidence; and that having contrived the *arbitrary and inhuman buſineſs of St* George's Fields, *with the unconſtitutional election for* Middleſex, they truſted, that under the execution of theſe fatal meaſures, the Liberties of this nation would expire for ever. Little did they foreſee, that the ſpirit of this free people was like a

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ſpring well tempered, the more they preſt it down, the more forcibly it would recoil, and the more inevitable would be their ruin.

It is the truſt, Sir F——, it is the wiſh of every honeſt man in this country, that, as they have dared to bend this ſpirit, they may feel the avenging force of its impetuous recoil.

JUNIUS AMERICANUS.

To Sir F——s B——d.

November 15, 1769.

YOUR next contrivance, to ſerve your purpoſe of bringing the people under military government, was ſo extravagantly wicked, that were it not under your own hand, one would hardly believe it. This was no leſs than a charge of treaſon againſt five hundred perſons, without a ſhadow of proof againſt them. In your Letter of *Septemper* 16, 1768, to the Secretary of State, you ſay, " The other meeting, as I am informed, " was very ſmall and private, on *Saturday* night, " at the houſe of one of the Chiefs, and there " it was reſolved to ſurprize and take the Caſtle " on the *Monday* night following:" And again, " The deſign againſt the Caſtle is now ſo well " known, that it is propable, that the very " names of the people who were enrolled for

" that

" that purpoſe, to the number of five hundred, " or the chief of them, will be diſcovered."

If this was not a ſham plot, where was the Chief Magiſtrate, Sir F——, where was the Governor, that he did not immediately ſeize the contrivers of this treaſonable combination? He knew, it ſeems, the houſe in which they were aſſembled, the time of their meeting, the treaſon they meditated, and even that they were enrolled for this unlawful purpoſe? yet, in this particular emergency, you did nothing but write a Letter, which could not have paſſed half the ocean, before the miſchief, had any been intended, would have been irreparably effected. Neither, after being furniſhed with ſuch potent Reſolves from hence, in conſequence of that Letter, and ſupported by a powerful military force, have you been able even to found this charge againſt a ſingle perſon at *Boſton*.

If we ſuppoſe, Sir F——, that there was the leaſt foundation for this charge, your conduct would be as inexplicable as it is criminal. Such vigilance in tracing the plot to a certain point, and then, a total inactivity and ſilence: how inconſiſtent! But if we conſider it as a fiction, to ſupport the pretended neceſſity of ſoliciting troops, it is plain, that having anſwered your purpoſe, it was your buſineſs to drop the curtain there, and bury it in oblivion.

Having, by theſe miſrepreſentations, brought a loyal people under the moſt unjuſt ſuſpicions

of

of diſaffection, and procured troops to ſupport your tyranny, not the operation of the laws, the next object was to quarter them in the town. As truth oppoſed the requiring troops, ſo the law, that odious thing to tyrants and their minions, forbad this method of quartering them. But your E——y triumphed over both theſe obſtacles with equal facility. The whole of this buſineſs is detailed in your Letter, N° 5, to Lord H——, dated *November* 1, 1768. After mentioning the many Acts you uſed in vain to make the Council, Truſtees, *&c.* inſtrumental in violating the law, you proceed thus. " During " this time the General, who foreſaw how this " negociation would end, had employed his Offi- " cers to hire and fit up houſes for the troops; " ſo that, by the time I had received the defini- " tive refuſal, complete quarters were provided " for all the troops. But now another difficulty " aroſe; if the ſoldiers ſhould be put into bar- " racks, though provided by the Crown, with- " out the intervention of a Magiſtrate, the Mi- " litary Officers who placed them there, would " be chargeable with taking upon them to quar- " ter ſoldiers otherwiſe than by this Act, and " being convicted of it by two Juſtices of Peace, " would be caſhiered *ipſo facto. I therefore took* " *upon myſelf to remove that difficulty, and, by a* " *Commiſſion, I authorized a perſon, therein named,* " *to place the two ſaid regiments, in ſuch buildings* " *and houſes as could be procured.*"

I will now lay before the Reader an extract from the *American* Mutiny-Act, and leave him to make his own comment; obſerving only, that the barracks in *Caſtle William* were, at this time, empty. This Act ſays, "And in caſe "there ſhall not be ſufficient room for the offi- "cers and ſoldiers in ſuch barrack, inns, vic- "tualing, or other public ale-houſes, *that in ſuch*, "*and in no other caſe, and upon no other account*, "it ſhall and may be lawful for the *Governor* "*and Council* of each reſpective Province in his "Majeſty's dominions in *America*, to authorize "and appoint, and they are hereby directed and "impowered to authorize and appoint, ſuch "proper perſon or perſons as they ſhall think "fit, for the reception of his Majeſty's forces, "ſuch and ſo many uninhabited houſes, out- "houſes, barns, or other buildings, as ſhall be "neceſſary to quarter therein the *reſidue* of ſuch "officers and ſoldiers, *for whom there ſhould not* "*be room in ſuch barracks and public-houſes* as "aforeſaid, and to put and quarter the reſidue "of ſuch officers and ſoldiers therein."

Look upon this picture, Sir F——, of a chief Magiſtrate being a chief criminal.—Is it not hideous and hateful? How odious then! how deteſtable muſt be the original! In vain will you plead, that you are but a poor t—l of deſpotiſm; *Empſon* was a tool, *Dudley* was a tool; think of their fate, and tremble at your proſpect. You may fly from puniſhment; but where will you

fly

fly from yourſelf; where will you fly from the reflection of what is paſt, and from the terror of what is to come? It is your miſerable fate, a fate, which thoſe even whom you have oppreſſed will compaſſionate, to experience this bitter truth, *tuta eſſe poſſunt ſcelera, ſecura nunquam*, the wicked may be protected from the touch of the Law; but from the ſtings of Conſcience they never can be ſhielded.

JUNIUS AMERICANUS.

To Sir F——s B——d.

December 19, 1769.

I Have now laid before the public an account of your proceedings fairly, and at large. But, as your E——y may not be inclined to burden your memory with them in detail, I ſhall take the trouble of ſumming them up, that you may be ſo far in the road to repentance, as to have your ſins ever before you.

The Articles then of charge againſt you, are,

1. That during the Stamp-Act you miſrepreſented the ſtate of *America*, with a view of inflaming his Majeſty and his Miniſters againſt that people; to the imminent danger of producing a rupture between this kingdom and her Colonies, and of utterly deſtroying the only be-

neficial commerce *Great Britain* might *ſecurely* enjoy.

2. That you exaggerated and miſrepreſented certain diſorders in the town of *Boſton*, bringing thereby a ſuſpicion of diſaffection upon that people, who are moſt loyal to their Sovereign; and have been, in many important inſtances, of eminent ſervice to the arms of *Great Britain*.

3. That being the ſupreme Civil M——e, and therefore eminently bound in duty to defend the laws from violation, you ſuffered, if not encouraged, the Officers of Revenue, to alter, dangerouſly, the common form of proceedings in caſe of ſeizures, and the Officers of the Navy to impreſs men, contrary to an expreſs Act of Parliament. From which violations of law, and arbitrary proceedings, which, when legally and humbly petitioned, you refuſed to diſcountenance, the popular diſorders aroſe.

4. That you have either wickedly accuſed a number of people in *Boſton*, of treaſon, or have ſhamefully neglected your duty, in not endeavouring to bring them to juſtice.

5. That by your miſrepreſentations you brought upon the good people of that town their S——n's diſpleaſure, and the heavy cenſure of both Houſes of P——t, with a formidable armament both by ſea and land, as if they were in actual rebellion; to their great injury, and infinite diſcredit.

6. That

6. That in violation of the known and neceſſary privileges of Parliament, and the eſſential conſtitution of every free Aſſembly, you ſent a *threatening* meſſage to the Aſſembly of *Maſſachuſet's* Bay; endeavouring thereby to take from the Repreſentatives of the people all freedom of debate and determination, and to eſtabliſh a precedent mortally dangerous to the liberty of the ſubject.

7. That you have attempted to ſubvert the conſtitution of the Province of *Maſſachuſet's* Bay, and by deviſing ſchemes for removing the conſtitutional limitations, neceſſary to render Monarchy conſiſtent with Liberty, have meditated the greateſt miſchief that can be brought on any people, the making the Crown arbitrary.

8. That in quartering ſoldiers on the town of *Boſton*, you have premeditatedly evaded and infringed an Act of Parliament, to the great oppreſſion of the ſubject; when, as ſupreme Magiſtrate, it was your eſpecial duty to guard the laws from violation, and the people from harm.

9. That betraying your truſt, and to the great diſhonour of your place, you have taken b—— to connive at ſmuggling.

Such, Sir F——, are the allegations brought againſt you, of the truth of which, next to what paſſes in your own breaſt, you will find the moſt convincing proofs in your letters to the Secretary of S——e, and the Commiſſioners Memorial to the T——y, in the Lords proteſt againſt the

repeal of the Stamp-Act; in the petition of the Town-hall in *Boſton*, and the Governor's anſwer; in the Reſolves and Addreſs of both Houſes of P———t, touching the town of *Boſton*; and laſtly, in an affidavit of one *J. Toovey*, an Officer in the Cuſtoms, who ſwears to his having received, for the Uſe of the Governor of *Maſſachuſet*'s Bay, gratuities for his connivance at ſmuggling *.

Theſe crimes, Sir F——, are of too deep a dye to admit of being exaggerated. But one cannot help aſking for which of theſe *faithful ſervices* you have merited approbation and honour? Was it for your malignant miſrepreſentation of the intentions of *America*, during the Stamp-Act, or your repeated miſinformations touching the people of your own Province, with falſe and frivolous alarms of tumults, riots, and treaſons, or your daring infringement of an expreſs Act of Parliament, in quartering troops? Or was it that crafty impoſition on your Council, to deceive them into a co-operation with you in violating the law, or your moſt laudable plan for ſubverting the G———t, and making the C—n arbitrary? Or, in fine, was it for that moſt daring and flagitious Act, of which the moſt abandoned times furniſh not one precedent, the threatening the repreſentative body of the people with diſſolution, if they did not comply with the terms of your meſſage? What honour

* *Penſylvania* Chronicle, *June* 19—26, 1768.

nour and exaltation theſe proceedings really deſerve, I muſt leave to the future operations of your own conſcience, and to the diſpaſſionate judgment of every friend to truth, to liberty and law.

You have charged the people of your Province with outrageous oppoſition to Government, and contempt of all legal authority; and you are, yourſelf, an inſtance of the injuſtice of the charge. Your having been ſuffered to leave *America*, without any mark of popular violence or reſentment, is a moſt manifeſt proof of their extreme veneration for the appearance of authority and government. *Athens* and *Rome* ſaw frequently ſuch men as your E———y fall immediate ſacrifices to the awakened vengeance of an injured people. Nor did any people, unreſtrained by the moſt reverential idea of ſovereignty and power, ever ſuffer a man to trample with abſolute impunity on their moſt ſacred rights; and by his violence and miſrepreſentation, bring into danger their liberty, property, and lives. Such are the evils that would inevitably flow from their being brought under an unconſtitutional military power, and being ſubjected to the new mode of trial for treaſon and miſpriſion of treaſon.

Yet, with all your efforts, you have not been able to re-act in *New England the tragedy of St G——'s Fields*. Was your conference with the Noble L—d, who is illuſtrious for the firſt exhibition

exhibition of that horrible performance, to deviſe a method of employing the troops more *effectually* on your return to your government? What elſe has the Southern department to do with that of *America*, which has a peculiar S——y? A S——y more acute, it would ſeem, in diſcerning and rewarding ſervices of this kind, than in the contrivance or execution of them.

The avowed purpoſe of your Excellency's coming to *England*, was to inform your S——n of the ſtate of the Colony in which you preſided. Are you then more happy in elocution than in writing? Or is it deemed dangerous to commit to paper any more ſuch plots as thoſe we have detected? For, as Mrs *Macauley*, in her excellent Hiſtory, very juſtly obſerves, "There may be a "faction for the C—n, as well as againſt it; "and conſpiracies againſt freedom, as well as "againſt prerogative. Whoever attempts to "remove the limitations neceſſary to render "monarchy conſiſtent with liberty, are rebels "in the worſt ſenſe; rebels to the laws of their "country, the law of nature, the law of reaſon, "and the law of God."

Permit me now to take leave of your E——y, with an aſſurance that I have ſet down nothing in malice, ſince I know you not, nor am in the leaſt emulous of arriving at that honour. If I have ſometimes betrayed a little aſperity of expreſſion, impute it, I beſeech your E——y,

to

to that honeſt indignation, which muſt ariſe in the boſom of every friend to liberty and virtue, on reviewing the wicked ſchemes which lead to their deſtruction. In truth, Sir F——, I cannot help regarding you in the ſame light with that incendiary of antiquity, who, in deſpair of perpetuating his name by virtuous deeds, determined to immortalize himſelf by deſtroying that nobleſt monument of *Grecian* art, the *Epheſian* Temple. Nor does it require a ſpirit of divination to foretel, that your E——y will be ſimilar alſo to him in fate; who, to uſe a nervous expreſſion of Mr *Pope*, is

——— *damn'd to everlaſting fame.*

JUNIUS AMERICANUS.

To Sir F——s B——d.

March 9, 1770.

YOUR Excellency will pardon me for troubling you again, with the unpleaſing repreſentation of your conduct in *Boſton*. I mean now to ſhew, with how much honour and truth you acted towards the people, even in the ſacred moment of immediately repreſenting your Sovereign.

What I ſhall here lay before the public, will be an additional proof how becomingly you filled

filled the office of repreſenting Majeſty, the fountain of excellency and honour; with what good faith you conducted yourſelf towards the people; and how entirely worthy you are of confidence and credit.

The ſelect men of *Boſton*, touched with the deplorable condition to which the miſrepreſentations of their enemies had reduced the town, ſo as to bring it under the dread diſpleaſure of their Sovereign, from whence it was ſurrounded with Ships of war, filled with Troops, and ſubjected entirely to military government, thought it their duty to enquire from what cauſes that diſpleaſure and its calamities aroſe. For this purpoſe they preſented an Addreſs to their Governor, in which, after juſtly and pathetically repreſenting this ſituation of the town, they proceed thus:

" What ſtill heightens the misfortune is, that " our gracious Sovereign and his Miniſters have " formed ſuch an idea of the preſent ſtate of " the town, as to induce a neceſſity of this naval " and military force, for the aid of the civil " Magiſtrate, in the preſervation of its peace " and good order.

" Your Excellency can witneſs for the town, " that no ſuch aid is neceſſary. Loyalty to the " Sovereign, and an inflexible zeal for the ſup- " port of his Majeſty's authority, and the happy " conſtitution, is its juſt character: and we may " appeal to the impartial world, that peace and

" order

" order were better maintained in the town, be-
" fore it was even rumoured that his Majeſty's
" troops were to be quartered among us, than
" it has been ſince. Such a meaſure then, we
" are perſuaded, would never have been ordered
" by the wiſdom of the *Britiſh* Adminiſtration,
" had not the neceſſity of it been drawn from
" the repreſentations of ſome of his Majeſty's
" ſervants in this Province.

" We therefore, in duty to the town we have
" the honour to ſerve, reſpectfully wait on your
" Excellency, and pray, that you would be
" pleaſed to communicate to us, ſuch repre-
" ſentations of *facts only*, as you have judged
" proper to make, ſince the commencement of
" the laſt year: and as there is a prevailing re-
" port, that depoſitions are, and have been
" taken *ex parte*, to the prejudice of the town,
" and particular perſons; may we not aſſure
" ourſelves, that your Excellency will, in juſ-
" tice, cauſe to be laid before us ſuch other re-
" preſentations, as may have come to your know-
" ledge; that the town, knowing clearly and
" preciſely what has been alledged againſt it,
" may have an opportunity of vindicating it-
" ſelf."

To this the Governor replies, " I have no
" reaſon to think, that the public tranſactions
" of this town have been miſapprehended by
" his Majeſty or his Miniſters, or that their
" opinions thereon are founded on any other

 " accounts,

" accounts, than thoſe publiſhed by the town " itſelf. If therefore you can vindicate your- " ſelves from ſuch charges as may ariſe from " your own publications, you will, in my opi- " nion, have nothing farther to apprehend.

February 18, 1769. FRANCIS BERNARD."

An anſwer ſo general as this, could not poſſibly ſatisfy men, who were really aiming at a diſcovery of the particular charges urged againſt them, in order that they might the more effectually vindicate their conduct.

The ſelect men, therefore, preferred another Addreſs to the Governor, declaring they were utterly at a loſs to know which of their tranſactions were contrary to law, or to the *Britiſh* conſtitution of Government: " And we entreat " your Excellency would condeſcend," ſay they, " to point out to us, in what particular reſpect " they either have been, or may be viewed in " ſuch a light, that either the town may be " made ſenſible of the illegality of its proceed- " ings, or that, upon the moſt critical examina- " tion, its innocence may appear in a ſtill clearer " light."

The Governor anſwers, " I did not mean to " refer to the diſorders on the 18th of *March*, " or of the 10th of *June*, but to the tranſac- " tions of the Town-meetings, and the proceed- " ings of the ſelect men, in conſequence there- " of."

It is unneceſſary to dwell much on the manifeſt abſurdity of this anſwer. The opinion of the King, and of his Miniſters, and the quartering troops upon the town, is imputed here to incidents which happened not one month before the troops landed; that is, before the account of thoſe proceedings could have arrived in *England*. But weak and palpable as this evaſion appears, it was the only reſource for concealing the real cauſe of thoſe meaſures having been adopted againſt the town, which cauſe will be ſeen in his Letters ſince publiſhed, and which he did not then apprehend would ever be made public, to detect and convict him.

Theſe anſwers were therefore evidently calculated to make the people believe, that he had wrote nothing againſt the town, nor made any repreſentations which could induce his Majeſty's Miniſters to take this *unwarrantable* meaſure, of *ſubjecting freemen to military government*. And to make this impoſition ſure, he declares, that in his opinion, they have nothing to fear, if they can exculpate themſelves from what happened in their *own Town-meetings, ſubſequent to the 11th of* July.

With what veracity and honour you acted in this buſineſs, Sir F——, I ſhall endeavour to ſhew: not in imitation of your E——y's *candid* manner, by forced comments, forged tales, dark alluſions, and ſuſpicious givings-out; but by the direct and unornamented teſtimony of

one, who, if his pure and perfect boſom can admit even of the prejudice of congenial friendſhip, may be deemed partial in your favour, the teſtimony of Lord H———h.

His L———p in his *ſecret* and *confidential* Letter to General G—e, dated the 8th of *June*, 1768, has theſe *elucidating* words.

" I tranſmit to you Copies of a Letter from " his Majeſty's Commiſſioners of the Revenue, " of my circular Letters to the ſeveral Gover- " nors of the Continent in conſequence of it; " and of Governor *Bernard*'s *three laſt Letters* " *to my office*; the contents of theſe papers will " evince to you, how neceſſary it is become, " that ſuch meaſures ſhould be taken as will " ſtrengthen the hands of Government in the " Province of *Maſſachuſet*'s Bay, enforce a due " obedience to the laws, and protect and ſup- " port the civil Magiſtrates, and the Officers " of the Crown, in the execution of their duty."

And could you, Sir F——, bearing the ſacred office of repreſenting Majeſty, the Imperial Majeſty of Britain, *when conſcious of having written ſuch Letters*, thus pledge and proſtitute your honour, in the public avowal of what you knew to be moſt fraudulent and falſe? Can you ſtill walk in the fair face of day, ſtill bear up againſt the load of guilt you feel, and the accumulated ſhame, which innumerable detections have thus heaped upon you? Retire, Sir F——, and hide the ſhame you cannot ſhun; if you have yet

one

one ſpark of virtue unextinguiſhed, ſhew it by acknowledging,

——*Pudet hæc opprobria nobis,*
Et dici potuiſſe; et non potuiſſe refelli!

Learn thus to ſpare your friends, and diſappoint your foes!

I have hitherto, tenderly I think you muſt acknowledge, judged your Excellency, and your noble coadjutor, in the plan of beſieging *Boſton*, by the friendly evidence only of each other. What I am now farther to add on this ſubject, is in juſtification of his L——p, by evincing from your own Letters, how unavoidable it was in him, to underſtand them, as is mentioned above.

The Grand Jury at *Boſton*, after the utmoſt endeavours of the Chief-Juſtice, a creature of his Excellency, to prejudice them in the buſineſs, as appears from the Governor's own Letter, refuſed to find a bill againſt ſome Printers, charged with a libel againſt the Governor. Upon this his Excellency writes thus to the Secretary of State's Office:

" Senſible people, who have a regard for " their country, are much concerned at this de- " fect of juſtice. They ſay, that it is a ſymp- " tom of ſuch extreme weakneſs in the Govern- " ment, that it affords little hopes of its reco- " very. And indeed I do not expect the Go- " vernment will ever recover its authority, with-

" out

" out aid from ſuperior powers. If the oppo-
" ſition was directed only againſt perſons and
" meaſures, a reconciliation might and would
" ſoon take place, and all might be well again.
" But men and meaſures are only nominal de-
" fendants; the authority of the King, the ſu-
" premacy of Parliament, the ſuperiority of Go-
" vernment, are the real objects of the attack;
" and a general levelling of all the powers of
" Government, and reducing it into the hands
" of the whole people, is what is aimed at, and
" will, in ſome degree, ſucceed, without ſome
" external aſſiſtance."

Was this a true repreſentation of the conduct of the people? and had they really no reaſon, as your Excellency aſſures them, to apprehend any thing from it? Or was you ſo conſcious of its notorious untruth, that you did not dream of a wiſe Miniſter giving it any credit? Or was it the play of a ſportive imagination, amuſing itſelf in ſketching the great outlines of a picture, which you were afterwards to fill up with mobs and riots, the meditated murder of the officers, and enrollments, to levy war againſt the King? Could you in truth think that attempts to overthrow the King and the Government were not criminal, and that the authors of them had nothing to apprehend? Which then will you chuſe, for you can have no other alternative, to confeſs that you have forged theſe moſt atrocious charges againſt

againſt the people; or that the facts being true, you publicly avow them to be innocent?

Your Excellency continues the ſame ſtrain in your Letter of *March* 19. "I ſee ſuch an oppoſition to the Commiſſioners, and their Officers, and ſuch a defiance to the authority by which they are appointed, continually growing, that I can no longer excuſe my informing your Lordſhip of the detail of facts from whence the moſt dangerous conſequences are to be apprehended. I am juſt now, in the ſituation I was in about two years ago, ſure to be made obnoxious to the madneſs of the people, by the teſtimony I am obliged to bear againſt it, and yet *left expoſed* to *their reſentment*, without any poſſible reſort of protection. I am then aſked, Why I do not apply for troops, as well to ſupport the King's Government, as to protect the perſons of his Officers. His Majeſty's Miniſters have within theſe *three years*, been fully acquainted with the defenceleſs ſtate of this Government, and therefore, I truſt, I ſhall be excuſed leaving it entirely to the Adminiſtration to determine upon a meaſure, which they are much more able to judge of, and anſwerable for, than I can be."

Here your Excellency appears to have been repeating theſe miſrepreſentations for three years paſt, from whence you were fully ſatisfied the Adminiſtration were able to judge whether it was proper to ſend over troops; yet, when theſe troops

troops are ſent, you venture publicly to declare it as your opinion, " that ſuch a meaſure could " be founded on no other accounts, than thoſe " publiſhed by the town itſelf." And could you have applied for troops in more cogent terms, than repreſenting your life in danger from doing your duty? But to clear up all our doubts of what you truly expected from your informations, you ſay in your Letter of the 30th of *July*, 1768. " As I have conſtantly ſent home " accounts of all occurrences, which could in- " fluence this queſtion; *I have concluded*, that " a change of meaſures muſt originate at *Weſt-* " *miniſter*, and that the firſt orders for quarter- " ing troops at *Boſton*, would come from thence." Is it not ſomewhat unfortunate, that your private concluſions and public declarations ſhould ſo totally differ?

You begin that Letter, Sir F——, thus: " Since the firſt beginning of the troubles of " this town, to the preſent time, I have fre- " quently repreſented to your Lordſhip's Office, " the impracticability of my applying for troops, " either for the ſupport of the authority of the " Government, or the power of the Magiſtracy, " both of which have been continually inſulted, " and made contemptible for near three years " paſt." You then finiſh it with ſaying, " Per- " haps, if no great miſchief is done in the mean " time, it may be much better for the troops " to be ordered from *England*, than to be

" brought

" brought hither by order or requiſition from " any one in *America*, as they will be introduced " in a manner much more authoritative." Yet after all this, you innocently declare you will leave it to Adminiſtration to determine on ſending troops.

I have thus fairly ſtated the facts relating to this ſubject, and with ſuch tenderneſs to your Excellency, as to alledge nothing againſt you, but from your own Letters, and from that of your loving and confidential friend. And now, without any farther comment, I muſt leave it to the candid readers to determine, upon looking back to your public anſwers, what truth, what honour, and what virtue, govern the conduct of Sir F——s B——d.

JUNIUS AMERICANUS.

To Sir F——s B——d.

March 15, 1770.

YOU have complained, in your public defence againſt certain allegations of the Aſſembly of *Maſſachuſet's* Bay, that you have been called upon by anonymous writers, to anſwer thoſe charges before the public, while you were endeavouring to obtain a hearing of them before the King in Council.

As I believe no writer but myſelf has called upon you, I am obliged to conceive your complaint was aimed at me; more eſpecially as I am informed, you lately and publicly declared, how much you was hurt by the publications of *Junius Americanus*.

Before I proceed, let me again aſſure you, that I have no perſonal acquaintance or enmity with Sir F—— B——; that I have not the leaſt knowledge or connection with his accuſers, nor any partiality for them, more than what muſt ariſe from a conviction of their having been moſt injuriouſly treated. I have furniſhed the public with the facts on which that conviction is founded. If they are miſrepreſented, let me be refuted. If they are undeniable, *let the ſtricken deer go weep.*

But, Sir F——, I am obliged to tell you, your complaint is artful and malicious. For if it means any thing, it is to charge me with endeavouring to pre-judge a queſtion, while it was depending for trial. Now, the laſt paper I wrote againſt you, was printed the 22d of *December*, and the preceding day only the order for bringing the allegations to trial was made, and announced the next. Nor ſhould I even have mentioned your conduct, between that time and the trial, had not a virulent libel againſt your accuſers, tending to prejudice men againſt them, recalled the queſtion, and provoked an anſwer.

anſwer. Incidentally in that anſwer you and your tranſactions were expoſed.

Neither is it true, that my charges againſt you were the ſame with thoſe of the Aſſembly. Any one who will take the trouble of looking back to the *Gazetteer* of *December* 22, will be convinced they are different. With regard to the ſteps which were taking either by your Excellency, or the Agent for the Province, I was not then acquainted with them; though I have ſince been at the trouble of informing myſelf on this ſubject very particularly: I ſhall lay that information now before the public, to prevent a wrong judgment upon this matter, which might be formed on certain proceedings intended for your juſtification.

On the 27th of *June* 1769, the Aſſembly of *Maſſachuſet*'s Bay, unanimouſly voted a Petition to his Majeſty, praying him to remove Sir F—— B—— from that Government, for repeated acts of oppreſſion therein enumerated. This was tranſmitted to their Agent, who preſented it to the King on the 14th of *September*. On the 15th of *July*, Governor B—— prorogued the Aſſembly to *January* the 10th; coming over to *England*, preſented a Petition to the King in Council, accuſing the Aſſembly, and praying for an *immediate* hearing of the charges they had alledged againſt him.

Accordingly the Petition of the Houſe was, on the 25th of *October*, referred to the conſide-

ration of a Committee of Council. About the laſt of this month, the Agent, having waited on the Secretary of State, received *parole* information of this reference, which had not officially been intimated to him. Upon this he preſented a Petition to the King, praying for due time and opportunity to ſupport the allegations againſt Sir F—— B——. In anſwer to this, he received notice the 22d of *December*, that the Petition was ordered to a hearing on the 27th of *January*. The evident inſufficiency of this interval, to tranſmit intelligence of the trial to *Boſton*, and receive evidences from thence, made it neceſſary to prefer another Petition, praying for ſome months delay for this purpoſe. Inſtead of that, it was ordered peremptorily to be heard on the 28th of *February*. Another Petition for time, from the abſolute and notorious impoſſibility of producing evidence at that already preſcribed, was anſwered by a peremptory notice to attend on that day.

In the mean time news arrived from *Boſton*, that, by expreſs order from the Secretary of State, the Aſſembly was, before any meeting, farther prorogued to the 18th of *March*. Thus precluded from every hope of receiving inſtructions from his Conſtituents, the Agent drew up and preſented a Memorial, in which he entirely, on that day, declined attempting to ſupport the Petition; and ſubmitted to their Lordſhips, whether,

whether, in their wiſdom and juſtice, they could proceed to decide upon its merits, the Petitioners, unapprized, unheard, and, from an evident neceſſity, incapable of bringing whatever proofs they might have, to ſupport the truth of the allegations they contained.

Having thus ſtated the facts with regard to this proceeding, the public will make the proper comment. I will only ſay, that a man, conſcious of his innocence, would not have ſolicited an immediate trial, when he was certain the truth could not appear. The more fully and fairly an innocent man's conduct is examined, the more pure and perfect muſt be his vindication. And the impartial world will perhaps ſuſpect, that ſuch ſolicitude to ſuppreſs evidence, could not ariſe from any expectation, that it would be inadequate to the ſupport of what was alledged. The Aſſembly which accuſed their Governor, acted as a political body; their political exiſtence depended on him whom they accuſed; and he manifeſted, no doubt, a conſciouſneſs of his innocence, by ſoliciting and urging, that they might be called upon to prove their charge, at a time when he knew they did not exiſt.

It is much inſiſted on, that if the Aſſembly had been poſſeſſed of any proofs, they would have ſent them with the Petition. The cauſe muſt be ſurely weak, that truſts for its ſupport to ſo frivolous an argument.

For

For whether they ever thought of proof being demanded, does not appear. They prayed their Sovereign to remove an oppreſſive Governor; and they might well truſt, that their ſolemn teſtimony of the particular inſtances of his oppreſſion would have been unqueſtioned. But if they conjectured their allegations would be ordered to a judicial hearing, they muſt have expected the common, notorious, and invariable courſe of juſtice. And this is, to allow due time for ſuch evidence to be produced, as may be neceſſary on either ſide. This is ſo uſual, and ſo manifeſtly requiſite even to the appearance of adminiſtering juſtice, that it was impoſſible they could apprehend it would be denied to them. They hardly expected an impartial Court would have demanded of them an impoſſibility; and, in the face of that, proceed to their condemnation. Such an apprehenſion would have been contrary to the firſt principles of juſtice, and to the conſtant tenor of judicial proceedings.

When the Houſe of Commons carry up to the Lords an impeachment againſt any of their members, do they accompany it with their witneſſes? Or were a motion immediately to be made and carried, that they ſhould prove their allegations on the ſpot, or have them diſmiſſed with cenſure, what would the world think of their Lordſhips juſtice, or of the innocence of the impeached? The *Middleſex* Petition will furniſh us a caſe directly in point. It laid before

fore the King various articles of charge againſt the firſt Miniſters of the kingdom. Suppoſe the Gentlemen who preſented the Petition, had been commanded peremptorily to make good this charge in an hour's time, and in default of that it had been declared an infamous libel, what opinion would men have formed of the juſtice of the K——, or of the innocence of his Miniſters? And can it be in any man's apprehenſion a leſs mockery of juſtice, to demand witneſſes to be collected and tranſported from *Boſton* thither, in ſeventeen, or in ſeven and forty days, than from *Middleſex* in one hour?

But it is ſaid, the honour of Sir F—— was ſuffering under this impeachment. God forgive us when we touch a part *already galled indeed.* He has made his honour ſo tender, that it will not bear the touch; but ſhrinks, like the ſenſitive plant, from the very approach of examination. Yet is not the character of every accuſed or impeached perſon equally under the ſufferance of imputation, as was that of Sir F—— B——? Were the Lords, whom the *Middleſex* Petition accuſed, leſs tender of their honour, or leſs conſcious of their innocence?

If this haſty, I will not ſay unjuſt, proceeding of G———r B——, be intended to juſtify him in the opinion of the public, he is greatly miſtaken. The people of *England* abhor injuſtice. And the truth ſtands like a primeval

rock

rock in the ocean, againſt which the waves may beat, but which they can never overthrow.

Of one thing I will venture to aſſure his Excellency, that whenever his conduct comes to be judicially examined, he will find *more deliberation*, and a *different iſſue*.

JUNIUS AMERICANUS.

To the PEOPLE *of* ENGLAND.

January 3, 1770.

IT has always been my opinion, that the People of *England*, (however they might at firſt, under the influence of paſſion or miſapprehenſion, condemn the generous efforts of the Coloniſts in the vindication of their liberties) when rightly informed, would encourage and applaud them. The preſent diſpoſition of the public, fully juſtifies theſe ſentiments; a diſpoſition, candidly open to the juſt complaints of *America*, for the violation of her conſtitutional rights, and in ſpite of all the ſophiſtry and falſhood of induſtriouſly wicked men, the people now wiſh to ſee them redreſſed.

Many are the leſſer grievances which *America* feels and reſents; but the grand one, that on which the reſt are grafted, is *the violated right of repreſentation*. A former Houſe of Commons voted,

voted, That it might be right and expedient to give and grant the money of the Coloniſts in a repreſentative body, where all the Freeholders of *America* had not a ſingle Repreſentative. That is, they voted it proper to deprive the Coloniſts of their right of Repreſentation, on which all other rights eſſentially depend. The preſent ——— has voted, that the perſon choſen by a majority of the Freeholders of the County of *Middleſex*, was not their Repreſentative, and that he whom a majority refuſed, was duly elected. That is to ſay, the Freeholders have no right to chooſe a Repreſentative, though on the free choice of him their liberties are abſolutely founded. We complain with earneſtneſs and ſtrict propriety, that we are unjuſtly and arbitrarily deprived of one Repreſentative: the people of *America* (ſurely with equal reaſon) complain, that they are deprived of all their Repreſentatives. We are juſtly alarmed at ſo flagrant a violation of our deareſt rights; they are filled with aſtoniſhment, and glow with indignation, while they ſee and feel the total loſs of every right as Engliſhmen, and freemen. Can any one avoid diſcerning at once, how nearly ſimilar the original grievances of *America* are to thoſe of this country. The difference lies only in degree. The Miniſtry have adopted, and already executed in one county here, Mr G—le's, or rather my Lord *Bute*'s plan for enſlaving *America*. It were, indeed, the laſt degree of

folly to ſuppoſe, that if arbitrary rule was once ſuffered to eſtabliſh itſelf in *America*, it would not ſpeedily traverſe the ocean, and finally fix itſelf in *England*. How ſhort the time which has intervened, between the voting away in the —— of ——, the Liberties of *America* and of *Great Britain!* So dangerous it is to admit ſlaviſh practices into any part of the dominions; or to ſuffer, in any inſtance, the vital principles of the conſtitution to be violated. *Grafton* and *Grenville*, are, indeed, the apparent contrivers of thoſe ſchemes; and the difference of the men, may ſeem to ſtamp a difference on the meaſures; but it is certain they were both under the deteſted influence of the Thane; and that the attempts to aboliſh the conſtitutional right of Repreſentation in this country and in *America*, ſprung equally from the arbitrary St—t. He has ſet upon it his pernicious *ſeal*, and the impreſſion is a *rod of iron*, for the ſcourge of Freemen. Without this malignant influence, the daring genius of a G——n; the plodding ignorance of a G——lle; and the immoveable dulneſs of a Hill——gh, would have been equally impotent. The complaints of an injured people would have been graciouſly received at the foot of the T—e; and thoſe who have deceived their Sovereign, and abuſed his ſubjects, would, ere this, have been brought to condign puniſhment. It is of the utmoſt importance to our mutual welfare, that this circumſtance

cumſtance ſhould be duly weighed. The meditated ſubverſion of Liberty in both countries, ſpringing from the ſame ſource, ſhould knit *America* and *England* firmly in oppoſition. Our utmoſt, united efforts are neceſſary to ſtem the torrent of arbitrary power, that threatens now to bear down Liberty and all her rights before it.

America, I can pledge myſelf for her, will unite with this country to the laſt effort of determined oppoſition. No people ever harmonized more in the trueſt ſentiments of loyalty to the *Brunſwick* line, as the elected guardians of our ſacred conſtitution, founded in the noble principles of *Magna Charta* and the Revolution. Yet it is not to name, but to *principles* they are attached; *principles*, which they will never ſuffer any King to violate with impunity. I am therefore earneſt in recommending to the free people of this country to cultivate the friendſhip of the *Americans*, who are purſuing the ſame ſacred cauſe of freedom, with the ſame virtuous determination to ſucceed, or to periſh in the attempt. The cauſe is common, let us be united in its ſupport; the Liberties of both countries are embarked in the ſame bottom; the ſame ſtorm that ſinks the one, will overwhelm the other. No matter whether our grievances ariſe from former Acts of Parliament, or a preſent —— of ——, when the united voice of *England* and *America*, proclaims them

to be unconſtitutional and intolerable. A voice, impudently ſtiled by the Tools of deſpotiſm, *faction* here, and *treaſon* there. Thoſe writers would endeavour to perſuade us, that all oppoſition to the *Butean* ſyſtem of oppreſſion, proceeds from diſaffection to an upright Government here, and, in *America*, from diſobedience to the juſt legiſlative authority of *Great Britain*. But when the conduct of G———t here ſhall have been uniformly ſuch, as to alarm the moſt unthinking, and incenſe the moſt moderate; when a Houſe of ——— ſhall have violated, towards *America*, thoſe very principles on which its own exiſtence depends, the principles of Liberty and of the Conſtitution; diſaffection in the people will be virtue; diſobedience will be their duty. A higher power than K—g or P———t may ſometimes claim this virtue, and this duty; the God of Heaven, who, when he gave us the rights of humanity, made it Impiety to ſurrender them to any earthly Being. It is not in nature but that cauſes muſt produce their effects: whoever would find the cauſe of theſe diſturbances, through the whole dominion, muſt look for them in the cabinet of Lord B—e; and to him muſt the conſequences, however great and ruinous, be imputed. Impreſſed with the juſt idea of the ſubject, the public will regard, with equal contempt, the laboured ſophiſtry of an impudently pretended Review of the *American* Controverſy, and the News-paper bable of an

Old

Old Mentor. Whether they are the virtuous lucubrations of a coxcomb Deputy to a pedantic Secretary of S—e; or of an envenomed *retailer* of *German* Conſiderations, from a Blanket-Warehouſe; or of a cankered junto of diſcarded *American* Agents. To enter into a formal refutation of them, would be to offer an affront to the common ſenſe of men, who cannot be miſled by ſuch deſpicable ſophiſtry; and might diſturb, too much, the repoſe to which oblivion and contempt has conſigned their productions. Let us, in the mean time, never forget this important truth; *that diviſion will endanger our deareſt rights, and aid the views of thoſe who meditate the abſolute ſubverſion of our ſacred conſtitution; but that the People of* England, *and of* America, *united in their efforts, will vindicate their Liberties from every attempt of a deſpotic* St—art, *and maintain them inviolate to the lateſt poſterity.*

JUNIUS AMERICANUS.

To the PEOPLE *of* ENGLAND.

January 24, 1770.

THE general diſcontent, prevailing at this time in all our Colonies, demands both the utmoſt attention, to the cauſes that have produced it, and ſome effectual means of removing

moving them. When a whole people are alarmed and aggrieved, temporizing is ineffectual folly; their fears muſt be compoſed, their confidence conciliated, their wiſhes fully met, their demands granted. The *redreſs muſt be ample as the grievance.* To offer them leſs, is to ſuffer the ſhame of a refuſal, and give them the pain of appearing contumacious, when they are only conſiſtent. The demands of a free people are never to be trifled with; eſpecially while they do not exceed thoſe juſt rights, which it were equal impiety and imprudence to violate.

A manifeſt and univerſal determination prevails in all our Colonies, not to ſubmit to the having their money given in any other manner than conſtitutionally, by their own Repreſentatives. What will be the full conſequences of combating this determination, may be judged from thoſe already produced. Conſequences too obvious not to be foreſeen, too fatal not to be dreaded. To urge this purſuit of a barren revenue, and which, being in its principles ſubverſive of what the whole people deem their deareſt rights, muſt always continue unprofitable, if it be not unjuſt, is ſurely impolitic. We are to ſacrifice, without any proſpect of an equivalent, the certain commercial benefits we ſhould otherwiſe enjoy with our Colonies; and alienate from us effectually their confidence and affection for ever. And ſurely, if by the iſſue we may judge of meaſures, evil policy never ſet its ſeal

with

with a ſtronger hand, than on the late ſyſtem for raiſing a revenue in *America*. With this view, ſo many laws and regulations have been, of late years, accumulated on each other, that much is to be done to eradicate the evil, and prevent its creating further diſturbance to the peace of the Colonies, and injury to the commerce of *Great Britain*.

The firſt grievance of which they complain, is the having their property granted to the Crown, in an Aſſembly wherein they are not repreſented; contrary to the moſt antient and moſt important principles of conſtitutional liberty.

In the year 1763, it was firſt declared both juſt and neceſſary, that a revenue ſhould be raiſed in *America*; and accordingly the Houſe of Commons, repreſenting the people of *Great Britain*, proceeded to give and grant to his Majeſty the property of his *American* ſubjects. Hitherto the *Americans* had been uſed to have their trade and commerce, that is, the means of acquiring money, regulated to the intereſt of *Britain*, by a *Britiſh* Parliament. But of their property ſo acquired, their own Repreſentative only could diſpoſe. Here the line was drawn between the ſuperintending ſovereignty of the parent ſtate, and the conſtitutional liberty of her Colonies. Unhappily it was now determined to paſs this line, which, like *Cæſar*'s paſſing the *Rubicon*, threatened the abſolute ſubverſion of freedom. The property

of

of the Coloniſts, however hardly and ſparingly acquired, under a multitude of parliamentary reſtrictions, was to be no longer in their own gift, but in the diſpoſal of a Power unconnected with them, unlimited, uncontroulable, unamenable to them. This was an innovation truly alarming, as it ſtruck at the very root of repreſentation; which, to uſe the words of a late writer on the *Middleſex* election, "is that "great right, on the preſervation of which the "people muſt depend for the continuance of "their freedom, and the ſecurity of their pro-"perty."

With regard to the juſtice of it, I have but one queſtion to aſk; that is, Whether the Freeholders of *Great Britain* would think it juſt, that any man, or any body of men, except the Repreſentative choſen by themſelves, ſhould diſpoſe of their property? The conſideration of this, will bring home to every man's breaſt, the feelings of the people of *America* at the invaſion of a right, of the value of which they are as ſenſible and tenacious, as becomes the poſterity of *Britons*.

What are the ſentiments of this nation, touching the ſacredneſs of the right of repreſentation, may be collected from the general indignation excited by the ſingle inſtance of its violation in the *Middleſex* election. And if the people here are ſo diſturbed by an attempt to diveſt a ſingle county, in one inſtance, of this invaluable franchiſe,

chiſe, think what muſt be the feelings of the *Americans*, from an actual and formal disfranchiſement of their whole body.

In principle, this diſpute is eſſentially the ſame with that which ſubſiſted in the laſt Century, between the people of this Country and *Charles* the Firſt. The advocates for the Crown exhauſted every argument that could be deviſed, in ſupport of a claim ſo fundamentally unconſtitutional. And indeed the reaſonings of Lord *Bute*, Mr *Grenville*, and their Partizans againſt *America*, are the babblings of children, compared with thoſe of that time. Yet the common ſenſe of right outweighed in the minds of men the utmoſt force of logical ſophiſtry, and eluded every ſubtlety and refinement of artful declamation. The claim, however, was urged; and hiſtory is rendered illuſtrious by the iſſue; an iſſue to which we ſhould devoutly pray, the juſt Arbiter of things may ever bring ſuch perilous diſputes. If it be aſked, Why the people were ſo averſe to this power in the Crown? it muſt be anſwered, Becauſe the King was independent of them, unconnected with them, ſave in a political relation, not participant in the burden, but profited by the exorbitancy of taxes. The ſame reaſons preciſely govern the *Americans*, in not acquieſcing under the having their property given and granted by a *Britiſh* Houſe of Commons. Nor can I better expreſs the preſent ſenſe of *America*, than by the ſenti-

ments which Lord *Clarendon* delivers, as thoſe of our anceſtors in the caſe of ſhip-money: "When they found it," ſays he, "demanded "as a right, and upon ſuch grounds as every "one felt were not conſtitutional, and ſo loſt "the pleaſure and honour of being kind and "dutiful to the King; and inſtead of giving, "were required to pay, and by a logic which "left no man any thing he could call his own, "they regarded it as an univerſal grievance, "and an impoſition, to which they thought "themſelves bound, in conſcience and in juſ-"tice to themſelves and to their poſterity, not "to ſubmit."

The ſame cauſes will invariably produce the ſame effects; and as theſe were then the general ſentiments of *England*, ſo they are now univerſally thoſe of *America*. The King and the Houſe of Commons may differ in name, but unlimited power makes them in effect the ſame, except that it is infinitely more to be dreaded in *many* than in *one*. If they be equally unconnected with, and independent of thoſe whoſe property they are to grant, without doubt they may be equally, if not more tyrannical. But the King can never be more independent of, or more unconnected with the people of *England*, than the *Britiſh* Houſe of Commons is with all *America*.

What is the ſource of confidence in the Legiſlature, but that the people conſtitute one part of

of it, which participates with them in the laws it makes, and the taxes it impoſes? Deſtitute of this foundation, it can never reaſonably expect the confidence of *America*; eſpecially as that confidence is conſtitutionally repoſed in its own Repreſentatives. But without the confidence of the people, the Government muſt be tyrannical, or ceaſe to exiſt.

The Non-electors of *Great Britain* are virtually ſecure, in having their property granted by the Houſe of Commons; becauſe both the members of that Houſe, and their conſtituents, ſhare in the burden of the grant. This diſpenſes liberty and ſecurity to every individual; and from thence ariſes that univerſal confidence, which is eſſentially neceſſary to the ſubſiſtence of a free Government. But, on the contrary, the whole people of *America* are virtually inſecure; becauſe there is not only no participation with them by the givers or their conſtituents, but an abſolute ſaving to both; which, as it furniſhes a temptation to exorbitant demands, muſt hang over the *Americans* like a baleful meteor, perpetually threatening the deſtruction of their property.

JUNIUS AMERICANUS.

To the PEOPLE *of* ENGLAND.

January 25, 1770.

I Have ſhewn in a former letter, how far the exerciſe of this newly aſſerted right of taxing *America* againſt her conſent, is conſiſtent with juſtice or expediency. But we are farther told, it is neceſſary. It is ſaid to be neceſſary for defending and protecting the Colonies. During the late war what money they had to give, was granted, for theſe purpoſes, conſtitutionally, by their own repreſentative Aſſemblies; and it is matter of no ſmall aſtoniſhment and concern to them, that the ſame care of themſelves cannot be truſted with them during peace. Then, if ever, there was a neceſſity for the intervention of this dictatorial power; but, under an able and honeſt Miniſter, the war was happily conducted without it. Indeed the very ſuppoſition, that a community will not provide for its own protection and defence, is ſo abſurd as hardly to deſerve a ſerious anſwer. But we find the ſame plea urged in ſupport of the King's right to tax his ſubjects of *England* in the laſt century; and the ſame reply to it will ſuffice for *America*, that was then made by thoſe who eſpouſed the cauſe of Liberty. " It has been ſaid, that tonnage " and poundage is not now granted to the King,

" and

" and therefore, the King is forced to theſe ex-
" troardinary courſes; though it be not *granted*,
" yet I think it is *taken*; and I doubt not to
" the ſame intent for which it was granted, the
" defence of the kingdom and guard of the ſeas.
" It is objected, that perhaps the Parliament
" would not have conſented, and ſo the king-
" dom might have been loſt. It is not to be
" preſumed, that the Parliament would deny to
" do that which is fit for the ſafety and defence
" of the kingdom, their own eſtates and lives
" being in danger." Such was the argument of a patriotic Judge in Mr *Hampden*'s memorable cauſe: And moſt ſurely it is not to be queſtioned, without the utmoſt abſurdity, that the Repreſentative of the people, choſen for the purpoſe, will more effectually provide for that defence, on which their own eſtates and lives immediately depend, than a body remotely connected with *America*, and not directly intereſted in its fate. Poor muſt be the claim which ſuch arguments can only be found to ſupport; and it would ſeem, that this new conduct towards our Colonies, is juſt as little warranted by neceſſity as by juſtice.

Let us next conſider how far it is calculated to ſecure the dependence of the Colonies on the Crown and Parliament of *Great Britain*. An uninterrupted courſe of loyalty, unimpeached from their foundation to this day, except in the amiable imagination of the illuſtrious Governor *Bernard*,

Bernard, required ſurely no further ſecurity. The very mention of it was an unmerited reproach of an eminently loyal people. And if, to alienate univerſally the affections and confidence of the *Americans*; if to unite them amazingly in one determined complaint againſt the Legiſlature of this country, be to ſecure their dependence on the Parliament; then has this ſyſtem of taxation moſt effectually anſwered the purpoſe; for we hear one end of the Continent re-echo the complaints of the other; and we have ſeen a ſingle meaſure effect that union in a moment, which from the different circumſtances of our Colonies, appeared to be the arduous work of an age.

But they to whom theſe commotions may ſeem to ominate the reverſe of ſecuring the dependence of our Colonies, will think it but common prudence to deſiſt from a meaſure, which, had it been indeed wiſely and well intentioned, is unhappily productive of the very evil we would ſhun. We may otherwiſe, perhaps, experience with what truth my Lord *Clarendon* has obſerved, that "Men pay too dear for their "want of providence; and find too late, that "the *neglect of juſtice* is an infallible undermining, "how undiſcerned ſoever, of that *ſecurity* which "their *policy* would raiſe for themſelves, in the "place of that which *wiſdom and juſtice* had pro-"vided for them."

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We have thus ſeen how little this ſyſtem is grounded either in neceſſity, juſtice or wiſdom. And, indeed, how ſhould it be ſo, planned as it was by my Lord *Bute*, as a part of that great ſcheme for enſlaving the whole dominion, and adopted by Mr G——lle, for the favourite purpoſes of corruption, by augmenting the already ruinous number of places in the gift of the Crown? The arbitrary Thane found one deſtitute enough both of wiſdom and juſtice, to execute that which one or both of theſe principles had withheld all former Miniſters from attempting.

As a friend to conſtitutional Liberty, I rejoice that the firmneſs of *America* has fruſtrated the meaſure, becauſe I am ſure it was founded on principles ſubverſive of freedom; and that the eſtabliſhment of deſpotiſm in any one part of the dominion, muſt endanger the rights of the whole empire. *America*, viewed in its true light, is a nurſery for *Britiſh* Liberty, which it is our intereſt to preſerve inviolable. There, when foreign or domeſtic force, which muſt one day happen, ſhall have triumphed here over the noble ſtruggles of freedom, the deſperate ſurvivers may find their liberties and laws preſerved from ruin. There the *Britiſh* conſtitution may riſe anew, like a Phœnix from her parental aſhes, to glory, ſtrength, and happineſs.

The next grievance is as aſtoniſhing as it is oppreſſive. It is no leſs than *the introduction of*

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the odious and arbitrary powers of Exciſe into the Cuſtoms of America. After the full diſcuſſion of this matter in Sir *Robert Walpole*'s time, the demonſtration of its pernicious tendency, and the general indignation which his attempting to eſtabliſh thoſe powers, excited here, it is a little wonderful, not that the northern politician ſhould attempt it in *America*, but that any Houſe of Commons ſhould aſſent to a law, which they knew would bring every fellow-ſubject in the Colonies, under the arbitrary dominion of the meaneſt ſervant in the Cuſtoms. I wiſh, indeed, it were the only proof how little tenderneſs there was in the late Houſe of Commons, for the deareſt rights of thoſe with whom they had no connection, on whom they had no dependence. Neither they themſelves, nor their conſtituents, were to ſhare in the hardſhips of thoſe laws, which laid open every man's houſe in *America* to a General Warrant, and left his property at the mercy of every infamous informer, and of a party Judge. But, *ſunt lacrymæ rerum et mentem mortalia tangunt*; and the people of *England*, at large, will not hear unfeelingly, as their former Repreſentative, the calamities to which their fellow-ſubjects in *America* are expoſed, by the violation of their moſt eſſential rights.

In the 5th year of *Geo.* III. it was enacted, "That the forfeitures and penalties inflicted by this, or any other act or acts of Parliament, relating to the Trade and Revenues of the ſaid

Britiſh

Britiſh Colonies or Plantations in *America*, which ſhall be incurred there, ſhall and may be proſecuted, ſued for, and recovered in any Court of Record, or in any Court of Admiralty in the ſaid Colonies or Plantations where ſuch offence ſhall be committed, or in any Court of *Vice-Admiralty*, which may or ſhall be appointed over all *America*, at the direction of the *informer* or *proſecutor*."

Before we proceed farther, it is neceſſary to inform the reader, that in this Vice-Admiralty Court, a *King's Judge*, *holding his place during pleaſure*, and receiving his ſalary out of the money ariſing from the condemnations in his Court, *determines all cauſes*, between the Crown and the ſubject, *without a Jury*.

It being thus put in the power of the informer to have the cauſe brought into this Court, it could hardly be apprehended that he would neglect commencing the proſecution, where he was ſure of partiality, if not of injuſtice in his favour. But to guard againſt a poſſibility of the ſubject's eſcaping this tremendous Court, another Act of the 8th of *Geo.* III. gives the right of appeal, from the Admiralty, to the Vice-Admiralty Courts in their reſpective jurisdiction. Nor does the tenderneſs and attention to informers end here; but, that the unhappy *American* ſubject may be harraſſed without hope of redreſs, it is provided, by the 46th clauſe of the former Act, "That if judgment be given in favour of the

 ſubject,

ſubject, and it ſhall appear to the Judge, that there was a probable cauſe of ſeizure, the ſubject ſhall not be entitled to any coſts of ſuit whatſoever; nor ſhall the perſon, who ſeized the ſhip or goods, be liable to any action or proſecution on account of ſuch ſeizure."

Here let us ſtop and conſider the ſituation of the *American* ſubject under theſe laws. He is expoſed to the malevolence of informers, who are tempted to injure him by intereſt and abſolute ſecurity; the ſacred trial by Jury is wreſted from him; his property ſeized for the King, and claimed by him, is to be aſcertained by a party Judge, almoſt bribed to do him injuſtice. In all this we may ſurely ſee, that neither his peace nor his property were conſulted when theſe laws paſſed; yet they were as much conſulted as he can reaſonably expect they ever will be, where he has neither repreſentative, connection, nor influence.

JUNIUS AMERICANUS.

To the PEOPLE *of* ENGLAND.

January 31, 1770.

ONE would have imagined, that the meaſure of *American* oppreſſion was now full, and that even tyranny itſelf could hardly have wiſhed

wiſhed to render property more inſecure, or the ſubject more miſerable, than by *encouraging and protecting Informers, and eſtabliſhing a partial Court, wherein, diveſted of his right of trial by Jury, he could never hope for juſtice.* But as long as any forms of law in favour of the people, obſtructed the Officers of Revenue in entering where they choſe, and ſeizing what they pleaſed, all the rights of men and of *Britiſh* ſubjects could not be wantonly trampled upon by theſe kind of men, who are ever ready to be the infamous Tools of arbitrary power. Theſe bars, however, were ſoon removed. An Act of Parliament enabled his M—y to appoint Commiſſioners of Cuſtoms in *America*, with ſuch powers as he ſhould think neceſſary for collecting the Revenue. Had ſuch unlimited power been veſted in his M——y for this country, the uſing it to the oppreſſion of the ſubject would have been reſtrained, or might have been puniſhed by impeachments in Parliament, excited by the complaints of the Conſtituents to their Repreſentative. But to what Repreſentative ſhall the people of *America* complain, when they feel the preſſure of this iron rod? Their Aſſemblies have no power over the Officers or Miniſters of the Crown; and with the Parliament here, they have neither intereſt nor power. I mention this only to ſuggeſt to the people of *England*, how additionally grievous this treatment of their fellow-ſubjects in *America* is, from its being in its nature without any hope of a conſti-

tutional redreſs. And they will then ſee, that the redreſſing meaſure, at preſent adopted by the *Americans*, of deſiſting from the importation of *Britiſh* manufactures, is not prompted by diſaffection, either to the Crown or people of this country, nor by a contumacious ſpirit; but by abſolute neceſſity, as the only probable means, next to an appeal to Heaven, of obtaining a redreſs of grievances that are not to be born.

In conſequence of the power veſted in the Crown, a commiſſion iſſued for the collection of the Cuſtoms in *America*, which may challenge the moſt arbitrary times of this country for any thing ſimilar to it. The reader will judge what liberty or ſecurity could remain to the ſubject, who ſhould tamely ſubmit to the following powers.

" We have further given and granted, and " by theſe preſents do give and grant unto you " our ſaid Commiſſioners, or any three or more " of you, and to all and every the Collectors, " Deputy-Collectors, *Miniſters, Servants, and other* " *Officers, ſerving* and attending, in all and every " the ports or other places, within the limits of " this your commiſſion aforeſaid, full power " and authority from time to time, and as often " as need ſhall require, *to adminiſter on oath, or* " *oaths, to any perſon or perſons*, for and concern- " ing the cuſtoms and other duties herein men- " tioned, which by the laws and ſtatutes relat-

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" ing to the ſaid Revenues, or any uſage or " practice for the better collecting and manag- " ing thereof in ſuch caſes, can or may be law- " fully adminiſtered. And moreover, from time " to time, at *your or their*, or *any of your or their* " *wills and pleaſures*, to enter and go on board " any ſhip, boat, or other veſſel, riding, lying, " or being within, and coming into any port, " harbour, creek, or haven, within the limits " of this your commiſſion aforeſaid, and ſuch " ſhip, boat, or veſſel, then and there found, to " ſearch and ſurvey, and the perſons therein " being, ſtrictly to examine, touching and con- " cerning the premiſes; and alſo in the day-time " to enter and go into any warehouſe, ſhop, " cellar, and other place, where any goods, " wares, or merchandizes lie concealed, or are " ſuſpected to lie concealed, whereof the cuſ- " toms, or other duties, have not been paid, " *&c.* and the ſaid houſe, warehouſe, ſhop, cellar, " and other place, to ſearch and ſurvey, and all " and every the trunks, cheſts, boxes and packs, " then and there found to break open, and to all " and every other the matters and things which " ſhall be found neceſſary for our ſervice in ſuch " caſes, and agreeable to the laws and ſtatutes re- " lating to the ſaid Revenue."

Now, leſt the mention of laws and ſtatutes ſhould ſeem to limit theſe deſpotic powers, it is neceſſary to inform the reader, that there is not one law or ſtatute, relative to *American* Revenue,

nue, which favours or guards the ſubject. He can have no hope of redreſs, but from the common law; and that this is not deemed a ſufficient ſafeguard, appears from this, that Parliament has provided a particular ſtatute to protect the ſubject here, making a ſpecial warrant on oath neceſſary to enable an officer to enter a houſe for ſeizure of unaccuſtomed goods. But in *America*, this commiſſion operating as a General Warrant, lays open every houſe, and whatever it contains, to the will and pleaſure of the meaneſt ſervant in the Cuſtoms.

Bad as this is, its arbitrary colouring is ſtill heightened, by making the Courts and all civil Officers ſubſervient to their purpoſes, as is done in the following part of the ſame commiſſion.

" And we do hereby ſtrictly command and " charge all and ſingular our Officers and Mi- " niſters, who now have, or hereafter ſhall have " any office, power, or authority derived from " or under our High-Admiral, or Commiſſioners " for executing the office of our High-Admiral " for the time being, as alſo all and every our " Vice-Admirals, and Juſtices of the Peace, " Mayors, Sheriffs, Conſtables, Bailiffs, Head- " boroughs, and all other our officers and ſub- " jects whatſoever, that they and every of them, " be unto you and every of you, and all and " every your deputies, collectors, ſervants, mi- " niſters, and other officers, aiding and aſſiſting " in the execution of the premiſes, and *obedient*

" *to*

" *to your orders and directions*, as becometh, un-
" der pain of our high diſpleaſure, and the ut-
" moſt perils that may fall thereon."

One cannot help again remarking here an arbitrary ſtep, outſtretching ſurely any authority, that ever yet was exerciſed in the *Britiſh* dominions. It is making the whole civil power abſolutely ſubſervient to the meaneſt officer in the Cuſtoms, by enjoining complete obedience to their orders and directions.

The juſt indignation, which the very contemplation of ſuch outrageous powers excited in the people, have prevented the officers from daring to attempt the violences with which they are empowered by this commiſſion. But let us ſuppoſe the people to have been *conformable to the ideas of Governor* Bernard, *and the Commiſſioners*, ſubmiſſive to this good government; we might then have ſeen an inſolent, though low, Officer of Cuſtoms, entering the firſt man's houſe in the Colony, ordering the Judge-Admiral, Juſtices, *&c.* to break open doors, cheſts, trunks, *&c.* and commit whatever outrage his brutal temper might ſuggeſt. Yet this would be all under the authority of a government, which theſe amiable men would perſuade the people is for their good, neceſſary for the preſervation of order, and perfectly conſiſtent with the rights of freemen.

Thus grieved, injured, and inſulted, the *Americans* have appealed to reaſon by remonſtrances,

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and implored mercy by petitions, in vain. The fire of oppreſſion was ſcarce extinguiſhed by the aſhes of the Stamp-Act, before it was kindled anew by another Revenue-Act, with its deſpotic train of Admiralty Courts, and Commiſſioners of Cuſtoms. It is againſt this oppreſſion, that *America* is now combined in oppoſition; not againſt the juſt authority of Parliament, which they revere, nor againſt the proſperity of *Great Britain*, to which they have the moſt cordial attachment.

It is true, the *Americans* have, in the courſe of this diſpute, acted often with a degree of violence and warmth, which may appear unwarrantable to thoſe who have not conſidered the grievances which gave their paſſions birth. As every means have been uſed, it would ſeem intentionally, to irritate and inflame them; my greateſt wonder is, that the flame has not burſt forth with more deſtructive fury. The true reaſon of it is, that an habitual loyalty to the Crown, reverence for Parliament, and affection for *England*, with which they have been conſtantly impreſſed, are not eaſily removed. Hitherto they have vented their paſſion chiefly in words, and my Lord *Clarendon* well obſerves, that "Modeſty and moderation in "words, never was and never will be obſerved "in popular councils, whoſe foundation is li-"berty of ſpeech." Let us beware how we turn this tide of their good affections, leſt it ſhould bear

bear down law and order before it; and produce conſequences at which wiſdom and humanity muſt ſhudder.

JUNIUS AMERICANUS.

To the PEOPLE *of* ENGLAND.

February 3, 1770.

IT has been ſhewn in the Addreſſes with which I have troubled the public, that the whole ſyſtem of Revenue in *America* is completely arbitrary; and if ſo, I need not ſay it is unconſtitutional. Words and declarations can never alter the eſſential nature of truth, nor make that conſiſtent with a free conſtitution, which, in its principle, is clearly and uncontrovertably deſpotic.

We have ſeen the property of the *Americans* granted away without the conſent of the people, or of their repreſentative, which, Mr *Locke* will inform us, is manifeſtly and fundamentally unconſtitutional; we have ſeen new Courts eſtabliſhed with powers, not only incompatible with *Britiſh* Liberty, but with every principle of juſtice; and we have ſeen a commiſſion diſpenſing abſolute authority, and ſubjecting all *America*, and the civil power, to the will and pleaſure of five Commiſſioners and their menial ſervants.

The ſtate of the ſubject then in *America*, under thoſe laws, is this: he is to be tried without Jury, his houſe is to be entered, and his locks forced, without oath or warrant; his ſhip and goods may be ſeized, and if ever ſo unjuſtly or injuriouſly, he is precluded from an action of redreſs or damages.

This eſtabliſhment will appear in its true light, by contraſting it with the proviſion made by ſtatute-law, additional to that which the common-law would adminiſter, for the ſecurity of the ſubject in *England*. By 12 *Charles* II. ch. 19. it is enacted, "That if any perſon or perſons ſhall "cauſe to be landed or conveyed away any cuſ- "tomable goods, without due entry and pay- "ment of the Cuſtoms, then and in ſuch caſe, "*upon oath thereof made*, before the Lord Trea- "ſurer, or any of the Barons of the Exchequer, "or chief Magiſtrate of the port or place where "the offence ſhall be committed, or the place "next adjoining thereto, it ſhall be lawful to "and for the Lord Treaſurer, *&c.* to iſſue out "*a warrant* to any perſon or perſons, enabling "him or them, with the *aſſiſtance of a Sheriff, "Juſtice of Peace, or Conſtable*, to enter into any "houſe in the day-time, where ſuch goods are "ſuſpected to be concealed.—Provided always, "that no houſe ſhall be entered by virtue of "this Act, unleſs it be in the ſpace of *one month* "after the offence ſo ſuppoſed to be committed. "—Provided alſo, that if the information, where-

"upon

" upon any houſe ſhall come to be ſearched,
" ſhall prove to be falſe, that then and in ſuch
" caſe, the party injured, ſhall *recover his full*
" *damages and coſts*, againſt the informer, by
" action of treſpaſs, to be therefore brought
" againſt ſuch informer."

This contraſt requires no comment; I will therefore proceed to obſerve, that the eſtabliſhment of Vice-Admiralty Courts, now made in *America*, is preciſely ſuch a grievance as was formerly complained of and redreſſed in this country, as will appear from the 13th of *Richard* II. c. 5. " Foraſmuch as a great and common clamour and
" complaint hath been oftentimes made before
" this time, and yet is, for that the Admirals
" and their deputies hold their ſeſſions within
" divers places of this realm, as well within
" franchiſe, *as without*, accroaching to them
" greater authority than belongeth to their of-
" fice, in prejudice of our Lord the King, and
" the *common law of the realm*, and in diminiſh-
" ing of divers franchiſes, and in the deſtruction
" and impoveriſhing the common people; it is
" accorded and aſſented, that the Admirals and
" their deputies, ſhall not meddle from hence-
" forth of any thing done *within the realm*, but
" only of a thing *done upon the ſea*."

Let me here aſk, What plea will excuſe the revival of a jurisdiction ſo formally condemned as oppreſſive and illegal? But there are yet two circumſtances, which render thoſe Courts infi-

nitely more oppreſſive than I have hitherto repreſented them. For eighteen Colonies there are, I think, four Vice-Admiralty Courts appointed. It muſt therefore happen, that a man may be dragged out of his own Colony, into another, to anſwer an information or libel; and however unjuſt and malicious it may be, he can have no reparation for his trouble, vexation, and expence. Unleſs it may be expected that a Judge, whoſe intereſt is to encourage informers, will diſcourage and expoſe them to puniſhment, by not certifying a probable cauſe of ſeizure: an expectation ſo frail, that it hardly furniſhes a ſhadow of hope. The other circumſtance is, that theſe Courts may come to have juriſdiction in private property, in fact, not relating to trade. An Act of Trade, 2 *Geo.* II. ch. 35, enacts, "That no perſon ſhall fell or deſtroy any White "Pine-trees, except only ſuch as are the pro-"perty of private perſons: other pine-trees, of "a certain ſize, being appropriated to the Crown, "for the uſe of the navy." By the Act 5 *Geo.* III. ch. 15. "All the forfeitures and penalties in-"flicted by this, or any Act or Acts of Parlia-"ment relating to the Trade and Revenues of "the ſaid *Britiſh* Colonies and Plantations in "*America*, which ſhall be incurred there, ſhall "and may be proſecuted, ſued for, and reco-"vered in any Court of Vice-Admiralty, which "may or ſhall be appointed over all *America*." From the tenor of theſe two Acts, it may happen,

pen, that an information laid againſt a man for cutting a white pine-tree, though, in fact, in his own land, will bring it to a determination before the Judge-Admiral, and make him arbiter of the ſubject's property of this particular deſcription; which, how ſubverſive it is of the common law of the realm, requires no explanation.

The next *American* grievance, to which I ſhall beg the attention of the people of *England*, is a late attempt to eſtabliſh a form of bringing over the *American* ſubject, charged with treaſon, or miſpriſion of treaſon, for trial in *England*.

The authority on which this attempt is founded, and the hardſhips that would attend an *American* ſubjected to it, conſpire to give it the ſtrongeſt features of cruelty and oppreſſion. An Act of *Henry* the VIIIth, made before the Colonies were in being, and never applied to them ſince their exiſtence, is now declared to be legal authority for bringing over the Coloniſt from his friends, from the Jury of the vicinage, and from all legal power of proving his innocence, to be tried among ſtrangers, for a crime to which the law annexes the higheſt puniſhment. For all treaſons, the law of the Land is moſt explicit in defining the crime, and ſecures to the accuſed the fulleſt and faireſt trial. Now, inſtead of this, the *American*, under this new mode of trial, needs only to be accuſed, that he may be condemned. For no Court here, having, by law,

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any power to iſſue a precept for bringing witneſſes from, or taking affidavits in, *America*, the accuſed is thereby incapacitated to diſprove the charge. The Jury of vicinage, ſo ſacred in the law, is ſtudiouſly taken from him, and he is to ſtand among ſtrangers, prejudiced againſt him, perhaps by miniſterial management, to prove his innocence without witneſſes, and withſtand, without friends, the whole influence and art of government. For it muſt be obſerved, that nothing but a determined ſpirit to oppreſs and deſtroy the man by any means whom the laws protected from their unjuſt efforts, could ever prompt government to innovate on the eſtabliſhed mode of trial. And it is a curious part of the private hiſtory of this proceeding, that a *North-Britiſh* L—d drew forth this ruſty iron rod, for the unjuſt affliction of *America*, which the honour and juſtice of *England*, would not exerciſe over his rebellious countrymen. In the rebellion, a ſpecial and temporary Act was paſſed for the trial of the *Scots* rebels; ſo little did Parliament think that the Act of *Henry* the VIIIth was ſufficient authority for this purpoſe; or ſo little were they inclined to ſet up a conſtant engine of oppreſſion, as is done with regard to *America*, even againſt a people ſo manifeſtly and deeply tainted with rebellious and unconſtitutional principles. But the leopard changeth not his ſpots, nor the mind of a *North-Britiſh* Lord his tyrannical temper. It has been ſolemnly adjudged in the Courts of

Weſtminiſter,

Weſtminiſter, That no Act of Parliament, in which the Colonies are not expreſly mentioned, does extend to them; and how much leſs ſhould an Act made before they exiſted? The Miniſtry have, indeed, ſupported the ſpirit of this Act, which was tyrannical, though, in one reſpect, favourable to the ſubject; for *Henry* was a Prince remarkable for being a tyrant under the appearance of Parliamentary authority, and his reign furniſhes a very uſeful Leſſon for every *Engliſhman*; which he ought to ſtudy, that he may the better judge when the ſame views of government prevail at Court. But, under this new mode of trial, ſhould the poor *American* eſcape death, by his innocence appearing in deſpite of all theſe diſadvantages, he could not hope to avoid ruin. For *American* eſtates in general would not bear the expence, which would attend a trial carried on three thouſand miles from his reſidence. So that were this authority once eſtabliſhed over *America*, it would be in the power of every Governor and of every Miniſter, to devote whom they pleaſed to deſtruction, or to ruin. For the Miniſter or Governor is in the place of a Grand Jury; and a Jury of ſtrangers in that of the vicinage. How abhorrent this is, from every principle of humanity, of juſtice, of conſtitutional liberty and law, I muſt leave to the feelings of every honeſt boſom.

Under the ſenſe of the grievances I have already enumerated, an *American* would naturally complain

complain in the very words which our anceſtors uſed, under *Charles* the Firſt. " It is not," ſaid they, " that Ship-money hath been levied upon " us, but it is that thereby Ship-money is claimed, " which is the gift and earneſt-penny of all we " have: it is not that our perſons have been " impriſoned, for the payment of Ship-money, " but that our perſons and lives are, upon the " ſame ground of law, delivered up to *will and* " *pleaſure.* It is that our birth-right is deſtroyed, " and that there hath been an endeavour to re- " duce us to a lower ſtate than villainage. The " Lord might tax his villain *de haut et de baſſe*, " might impriſon him, but his life was his own; " *the law ſecured him that.*"

It is impoſſible here to avoid obſerving, how exactly ſimilar the arbitrary diſpoſition of a *Stuart* of the laſt century is, to one of this. For, as I have already declared, I aſſert again, that theſe grievances flow from the counſels of a *Stuart*; and are a part of the great ſyſtem formed for enſlaving the whole dominion by the favourite Thane.

I ſhall cloſe the enumeration of *American* grievances, with one which, like giving and granting the money of the Colonies, ſtrikes at the very root of repreſentation. This is the Act of the 7th of *Geo.* III. ch. 59, to ſuſpend the *legiſlative power of the Aſſembly of* New York, *for not raiſing money on the people to ſupply the troops, agreeable*

able to an Act of Parliament. If any power on earth is to command the Repreſentative of the people, when, and in what ſums to levy mone yon the ſubject, how are they free? Or what is ſuch a Repreſentative more than an inſtrument for executing the arbitrary will of others? For "a "Parliament" (as *Pym* juſtly obſerved on a ſimilar occaſion) "without Parliamentary liberties, "are but a fair and plauſible way into bon-"dage." Whether ſuch a proceeding be conſtitutional or juſtly to be complained of, on the part of *America*, will be ſeen from the Journals of Parliament, where the Commons of *England*, in their own caſe, aſſert their privilege againſt *James* I. in theſe words: "We hold it an *an-*"*tient, general and undoubted* right of Parliament, "to debate freely of all matters which do pro-"perly concern the ſubject and his right of "eſtate; which freedom of debate once fore-"cloſed, the eſſence of the liberty of Parlia-"ment is withal diſſolved *."

It is obvious to common ſenſe, that the ſame freedom of debate is eſſential to the liberty of every *American* Aſſembly, as to the Houſe of Parliament; and that the invaſion of it, however made, is equally ſubverſive of their antient and undoubted right.

I have thus laid before the public, the capital grievances which have, within theſe few years, been heaped upon the Colonies. *The diſpoſal*

* See St *John*'s meſſage on Ship-money.

of their property againſt their conſent; the eſtabliſhing Courts and Commiſſioners among them, with all the powers that are inconſiſtent with liberty and law; the rendering life as well as property inſecure, by the new mode of trial for treaſon, &c. and deſtroying all freedom of debate and determination in their provincial aſſemblies. Had theſe powers been executed by *faithful ſervants*, ſupported by an adequate number of *peace officers in regimentals*, and over a people ſubmiſſive to bend their necks to any yoke; we ſhould ſoon have ſeen the heretofore flouriſhing, becauſe free, Provinces of *America*, wretched and waſte as thoſe of the Grand Signior's empire, the miſerable reſidence of ſlaves and tyrants.

But let the people of *England*, to whom the tyranny of a few can be neither profitable nor ſafe, judge of the *American* as becomes them. They will then ſee, that the government there ought to be reſtored to that center, on which the wiſdom and juſtice of our anceſtors poiſed it, *reſerving to this country the ſupreme regulation of trade; and leaving to them, untouched, the diſpoſal of their property, and the ſacred poſſeſſion of the common law of the land.*

JUNIUS AMERICANUS.

To the PEOPLE *of* ENGLAND.

March 13, 1770.

THE late determination, in the H— of C——, touching *America*, is not ſo generally underſtood as to render an explanation of it unneceſſary. It may be conceived, that relief has been given to the complaints of our Colonies; from whence the natural concluſion will be, that they ought to be ſatisfied.

That every man may be enabled to judge how far this is true, I ſhall beg leave to recal to your minds the grievances of *America*, and to ſtate the late tranſaction in the H—— of C——; from which it will appear, whether, in any degree, thoſe grievances have been redreſſed.

The Colonies then complain, that they have had their property granted away, contrary to the fundamental rights of *Britiſh* ſubjects, without the conſent of themſelves or of their Repreſentatives, by ſundry Acts, but eſpecially by one of the 7th of this reign, impoſing duties on tea, glaſs, paper and paint. That their houſes, locks, *&c.* were laid open to ſomething worſe than a General Warrant, namely, to the will and pleaſure of every officer or ſervant in the Cuſtoms. That their property in trade is rendered abſolutely inſecure, by the eſtabliſhment of a Board

of Commiſſioners of Cuſtoms, with all the odious and oppreſſive powers of Exciſe; with Vice-Admiralty Courts, having a jurisdiction ſubverſive of the firſt principles of juſtice, and of the eſtabliſhed laws of the realm, from the deciſion being left to a *partial* Judge, without a Jury; and by the higheſt encouragement being given to Informers and Cuſtom-houſe Officers, with an abſolute ſecurity, *by law*, from any puniſhment, ſhould their informations or ſeizures be ever ſo falſe and detrimental: of which I will venture to ſay, that there is not, in the moſt deſpotic country on earth, an eſtabliſhment at once ſo cruel and unjuſt.

Beſides theſe general grievances, there are ſome which are local, yet conſequentially affect the whole, and are equally deſtructive of freedom, humanity and juſtice. Theſe are the ſuſpenſion of the legiſlative power of the Aſſembly of *New York*, for not obeying an arbitrary mandate; though it is plain that no Aſſembly can be free which is ſubject to any controul whatever, but that of the people at large, by whom, and for whom they were conſtituted: the extenſion of an obſolete and arbitrary Act of *Henry* VIII. for trial of treaſon, *&c.* to the Province of *Maſſachuſet's* Bay; the quartering troops in *Boſton* againſt law, and raiſing the military above the civil power.

The *Americans* were fully ſenſible, how fatal every one of theſe meaſures were to the deareſt

rights

rights of themſelves and of their children. But as they knew how many prejudices prevailed againſt them in this country, they confined their ſolicitations to the *repeal* of the laſt Revenue-Act. And as the Board of Commiſſioners and Vice-Admiralty Courts, with all their deteſted train of arbitrary powers, grew chiefly on that Act, they had the juſteſt reaſon to hope, that the abolition of them would follow that repeal. With ſuch a conſequence, this ſingle repeal, though it would not have entirely redreſſed their grievances, would have given them great ſatisfaction. And for the reſt, they would have truſted to the wiſdom, humanity and juſtice of their parent-ſtate. The Colonies, therefore, aſſociated againſt this Act; and all their orders for goods were on condition, it were *repealed.* In conſequence of this, the merchants and traders of *London*, petitioned for a *repeal of that Act.*

Now what has the H—— of C—— done? They have determined to *amend* the Act, by taking off the duties on paper, glaſs and paint only. In every other reſpect, the Act remains as before.

It is therefore plain, that this meaſure does not relieve the commerce of this country, agreeably to the prayer of the merchants; nor redreſs any one grievance of which *America* complains. The merchants cannot, in conſequence of it, ſhip one ſhilling's worth of the goods ordered; and the *Americans* are left to groan under every oppreſſion which they felt before.

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But it will be ſaid, there is ſome alleviation given in the quantum of the tax. The produce of the whole duties in this Act, amounts to about thirteen thouſand pounds a year; of this nine thouſand ariſes from the tea, the article which is left unrepealed. The reduction of the Revenue from thirteen to nine thouſand, is then the whole operation of this amendment. Neither is this ſaving any thing to our Colonies, becauſe they had determined not to take theſe articles; and, therefore, the next year's duty upon them would have been very inconſiderable.

I have thought it neceſſary to explain this matter to the public, that, as I know the *Americans* will perſevere in their refuſal to take our manufactures, till their grievances are *really* redreſſed; that they may not hereafter ſuffer in the opinion of their fellow-ſubjects here, from a miſapprehenſion of their having been already relieved.

JUNIUS AMERICANUS.

To the PEOPLE *of* ENGLAND.

March 22, 1770.

I Have hitherto ſet forth the injuſtice of the whole ſyſtem of laws and regulations, which have been made for our Colonies ſince the year 1763.

1763. I have ſhewn it to be ſubverſive of the firſt and fixed principles of *Britiſh* liberty, and entirely different from that plan, which the wiſdom and juſtice of our anceſtors eſtabliſhed.

It was their policy to cheriſh and conciliate the affections of their fellow-ſubjects in *America*; it is our folly to nouriſh and enflame their enmity. It was their wiſdom to draw riches from their Colonies, by making the mother country the center of one vaſt and affluent circle of commerce; it has been our injuſtice to extort money from them by unconſtitutional taxation, and to ſhut up, at the ſame time, every channel of trade by which ſpecie could flow into their ports. The ſyſtem of our forefathers was like the golden chain of *Jupiter*, let down from heaven, and fixed in the earth for its ſupport. The links of it were framed by wiſdom, and modelled by juſtice. Mr *Grenville* choſe to ſubſtitute one of iron, forged by injuſtice and oppreſſion. His ſucceſſors ſeem to have beat out his chain into a rod of iron, with which, after having diſſolved all former confidence and affection, they are endeavouring to enforce obedience.

The conſequences of both ſyſtems, have been juſt ſuch as common ſenſe would have predicted. Under that of our anceſtors, more than a whole century paſſed away in mutual confidence, mutual intereſt, and mutual happineſs. No complaints of violated rights rung through the Colonies;

lonies; no menaces iſſued from the mother country. The military and naval force of *Great Britain*, was employed to protect her Colonies, for the commercial benefits ſhe received from them; not to compel obedience to uſurped authority, and to laws that, being unjuſt, make ſubmiſſion ſlavery.

But from the modern ſyſtem, ſprung immediately univerſal complaints, and univerſal oppoſition. Theſe complaints have either been inſultingly rejected unheard, or injuriouſly anſwered with reproaches and threats. Their conſtitutional oppoſition, has been denominated treaſon and rebellion; ſo that in a time of profound peace, there is nearly as great a military force employed to maintain a temporary quiet in our Colonies, as ſerved, during the late war, to combat and ſubdue the power of *France*.

In this ſituation it is doubted, whether we ſhall comply with the wiſhes of *America*, by returning to the equitable ſyſtem of our anceſtors; or perſevere in oppreſſion which we cannot juſtify, and maintain meaſures from which nothing but injury and ruin can ariſe.

The public will learn, with aſtoniſhment and indignation, that, at this time, when *Great Britain*, almoſt defenceleſs, is threatened and inſulted by *France* and *Spain*, upwards of twenty ſail of ſhips of war, cutters and other armed veſſels, are employed in harraſſing and obſtructing the trade of *New England*. They have ſeized

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and detained, to the great injury of the fair trader, twenty-three veſſels, which injuſtice itſelf could not condemn, as not a ſhadow of charge appeared againſt them. Yet the unhappy ſufferers are precluded from all legal means of being reimburſed for their loſſes, or of checking theſe cruel and wanton ſeizures, by the puniſhment of thoſe who make them. Will Lord H——h deign to tell us, what are his ideas of the trade of our Colonies, which enables them to take annually two millions worth of our manufactures? Does he think it injurious to this country, that he is thus employing that force, which ought to be turned againſt our inveterate foes, to cruize againſt the *American* merchant? He will tell us, perhaps, that this is intended againſt the illicit trader. If ſo, why is not the *law open in* America, *as in* Britain, againſt thoſe who *make falſe and frivolous ſeizures?* In that caſe, the unfair trader only would ſuffer; now, every one is equally expoſed to the malevolence of Informers and Cuſtom-houſe Officers; ſo that this eſtabliſhment, cannot operate ſo much to diſcountenance unfair traffick, as to aboliſh entirely all trade.

The Province of *Maſſachuſet*'s Bay, has been continually the marked object of miniſterial vengeance. This has ariſen from their having had, moſt unfortunately, at the commencement of this obnoxious ſyſtem, a G——r, who

eagerly embraced every opportunity of misrepresenting and maligning the people. The opposition to the Stamp-Act, and to other unconstitutional exertions of authority, did not originate in that Province; nor was it carried there to a greater height, than in almost every Colony on the Continent. The Governors of all the Provinces performed the same public duty; for the ministerial mandates were circular, and almost every Assembly has been in its turn dissolved, for treating them with the contempt they deserved. Yet where is the Governor, who is universally odious and detestable, not only in his own Province, but through all *America*, like Sir F——s B——d? After this, what shall we say to the impudence of this assertion, in his vindication of himself, that "After the "opposition to the Parliament was adopted by the "House of Representatives, it became impos-"sible for the respondent, or *any other Governor*, "to do his *duty*, and preserve his popularity." Now, I assert, and defy his Excellency to refute it, that every House of Representatives on the Continent, adopted the same opposition, not to Parliament, as is his incendiary stile, but to the infringement of their liberties; and that every Governor did the same duty without incurring the odium with Sir F——s B——d. There is not a fact in the world of greater notoriety than this; otherwise I would refer him, for the proof, to the Addresses of the Assemblies of *Virginia*

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and *New York*, after the deaths of their Governors, which ſpeak of them in the higheſt terms of approbation and regret; and to the example of Governor *Sharpe* in *Maryland*, who, after being ſuperſeded, has ſettled among the people univerſally beloved. Had *Maſſachuſet's* Bay been particular in their oppoſition, farther than they have of late been particular in being oppreſſed, or had the abhorrence of Governor B——d's conduct been confined to that Province, there might have been ſome ſpecious neſs in what he has ſaid. But, at preſent, it is a daring and deſperate aſſertion, directly in the face of truths of the moſt public notoriety.

The fact is, that other Governors did not think their duty conſiſted in forging malignant falſhoods; in reporting every idle and miſchievous tale; in exaggerating every little diſturbance into riot; ſedition, treaſon, and oppugnation to all legal government; in abuſing the Council, the Houſe of Repreſentatives, the Merchants and People, as diſpoſed to rebellion; and leaguing with a ſet of deteſtable Commiſſioners and Cuſtom-houſe Officers, as the only friends to good government; nor in ſending over an accuſation of treaſon againſt five hundred men, without having a ſhadow of proof againſt one. As other Governors were not guilty of theſe crimes, they did their *duty*, yet preſerved their *popularity*. If Governor B——d knows any one who did act in that manner, it will be a more feaſible cauſe

for loſing his popularity, than that of having done his duty. And if the public ſhould be of opinion, that an *American* Governor has been juſtly charged with ſuch a conduct, they will not heſitate to look upon him with that deteſtation, in which he is held through all *America*, whatever ſanction may be given to his crimes, from the *reports* of thoſe who are abettors and partakers of his guilt. I ſhould deſire nothing more, than having this queſtion agitated before an impartial *Engliſh* Jury. For I cannot help regarding another trial to be much the ſame, as if Lord B—e were to be tried by the junto of C—l—n Houſe.

It may now perhaps be expected, that, as Governor B——d is abſent from *Boſton*, every thing there will be quiet and compoſed. No more than the abſence of Lord *Bute*, to compare great things with ſmall, will give peace to this kingdom. Their fatal influence ſtill prevails. They have unhappily left their repreſentatives in both places. The reins of government are now moſt aſſuredly held at *Boſton*, by a ſecond *Bernard*. I do not advance this upon my own opinion, or the general ſenſe of the Lieutenant Governor's countrymen; but upon the moſt reſpectable authority we can have in this caſe, that of Sir F——s B——d. He, in his letter of the 12th of *March*, 1768, to the Secretary of State, ſays, "It gives me great pleaſure to ſay, that I can "depend on his, the Lieutenant Governor's,

"*reſolution*

" *reſolution and ſteadineſs*, as much as I can upon " *my own.*" The public will, at leaſt, believe, that he ſpeaks truth of his aſſociates; and will judge what muſt be Mr *Hutchinſon*'s merits and temper, who could procure ſo warm an approbation from an incendiary provincial Baſhaw. But we muſt not be ſurprized, if the ſame tyrannical and inflammatory meaſures are continued in *Boſton*, and the ſame miſrepreſentations of the temper, intentions and conduct of the people, tranſmitted hither. The Lieutenant Governor has already given the moſt convincing proofs, that his Excellency's confidence in him is not miſplaced, by proroguing the Aſſembly which was to proſecute Governor *Bernard* (without conſulting the King's Council) till the trial was over, and by pronouncing a peaceable meeting of the merchants to be abſolutely illegal. And he will certainly purſue this *honourable* career to preferment; though he cannot but perceive, what odium it has brought upon his *principal:* for, with infinitely more ability, ſubtlety and addreſs, he is equally ſubſervient to ſelf-intereſt, and holds principles as incompatible with the conſtitutional liberties of the people. Such is the *unvarniſhed* character of the preſent Lieutenant Governor in *Boſton.*

As an advocate for the Colonies, and a friend to liberty, I ſhould be ungrateful were I not to make my warmeſt acknowledgments to General Mc——y, for his public and honeſt declaration, that

that when he commanded in *Boſton*, he intimated to a ſoldier, who was in the hands of the civil magiſtracy for an offence againſt the laws, "That if he did not immediately break away, "he would ſend a military force to ſeize upon "him, and execute him as a deſerter." The *Americans* thought the General their friend, and he has fully proved himſelf ſuch, by this candid diſcovery; which muſt operate to convince the moſt prejudiced, that the deſign of the military, and of thoſe who ſent them, was *to trample on all laws but what they themſelves ſhould decree.* The people of *Boſton* have felt this melancholy truth, and it has been my endeavour to ſet it before the public in its full light; but I acknowledge, with thankfulneſs, that this unaſked and unexpected declaration from one who, as he commanded, is the higheſt authority, brings more conviction with it than twenty times my proofs. *The military were to carry the law on the points of their ſwords.* This was the ſimple and ſpirited ſyſtem of government, which the preſent Miniſtry had formed for our Colonies, inſtead of that perplexed, troubleſome, obſolete plan of our anceſtors, founded on the free conſtitution of *England.*

Before I diſmiſs this ſubject, I muſt take the liberty of correcting a little miſtake the General was under, concerning the laws of *Maſſachuſet*'s Bay. He told us, his men were ſold for ſlaves. Had he enquired, he would have found the fact

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to be this: By the law in that Province, when a man is in priſon for debt, or for theft, if he can neither pay nor make retribution, inſtead of being kept to rot in jail, as with us, *upon his own petition*, the magiſtracy are empowered by law to bind him to his creditor, on ſtated wages, till the ſum due is paid in labour, and then the bond is cancelled. Too much praiſe cannot be beſtowed on the juſtice, humanity, and wiſdom of this law; ſo that if, on theſe principles, any law, not made in the Cabinet here, or in a Court-Martial there, could have eſcaped cenſure and infringement from General G—e and General Mc——y, it muſt have been this. It had happened, I ſuppoſe, that ſome of the new legiſlature, the ſoldiery at *Boſton*, had, by plundering, as they phraſe it, but, as others call it, by thieving, incurred the penalty of impriſonment, from which they had petitioned to be relieved agreeably to this law. And this is what the General *miſapprehended* to be ſelling his men for ſlaves. Had he condeſcended to make any enquiry about it, he would have found, that this law had received the King's aſſent, and was as valid there as an Act of Parliament; and that, as ſuch, he ought not to have violated it, without an *order, at leaſt, from the Secretary of State.*

JUNIUS AMERICANUS.

To the PRINTER *of the* GAZETTEER.

January 17, 1770.

THE elaborate, exaggerated, and malicious account of a late riot in *Boſton*, publiſhed in your paper of yeſterday, with the ſignature of *Veritas*, requires ſome explanation.

The public ſhould be informed, that Mr M—n, the woful Knight of this little Romance, was always the tool of Governor B——d. That he has followed hither his amiable and ſpotleſs patron; who, it is too well known, has ever proved himſelf a generous friend to the liberty and happineſs of the Province, in which, to their good fortune, he preſided. That this *par nobile fratrum*, are now endeavouring to ſupport each other's miſrepreſentations againſt the people of *Boſton*, both with the Miniſters of ſtate, and with the public; for the latter of whom was intended the laboured miſrepreſentation of yeſterday.

Whatever credit this account may ſeem to derive, from ſome extracts of affidavits incorporated with it, muſt be withdrawn, when we conſider, that they are not authenticated by the name of any magiſtrate, and ſhould, in any event, be deemed *ex parte* teſtimonies. It is certain, that the other, and more apparently authentic relation

relation of this matter, differs totally from this; and that Mr M—n himſelf is the only perſon who brought over the particulars he has publiſhed.

The public will therefore, in its juſtice, conſider that account as a continuation of thoſe malicious miſrepreſentations, with which Governor B——d and his tools have ſo long endeavoured to abuſe this country, and injure *America*.

JUNIUS AMERICANUS.

For the GAZETTEER.

January 29, 1770.

JUNIUS AMERICANUS has received the polite, and he has no doubt, the *guileleſs* invitation of *Veritas*; but cannot have the honour of accepting it. He ſtands on public ground, appeals to reaſon, and does not wiſh to mix any thing perſonal in the diſpute. What ſatisfaction could it be to the public, that *Junius Americanus* ſhould ſee the authentications of the affidavits? If they are fit for the public eye, let them meet it.

Junius Americanus may perhaps be prejudiced, but he can venture to aſſure *Veritas* it is nothing of perſonal prejudice, but that only which neceſſarily grew from inſpecting the flagitious pro-

ceedings of Sir F——s B——d. He has attentively conſidered the conduct both of the Province of *Maſſachuſet's* Bay, and of their G——r; and he can well diſtinguiſh between the faults of the one, and the crimes of the other.

The additional publication of *Veritas* is ſo far from being ſatisfactory, that it furniſhes new lights to ſhew, that this account of a late riot in *Boſton*, is as miſrepreſented, exaggerated and fictitious, as thoſe which Sir F——s B——d before diſtorted to his pernicious purpoſes. Nor have I the leaſt doubt, that the public opinion, will juſtify mine, when I have placed this matter in its true light.

And firſt, I muſt make the reader acquainted with the actors in this buſineſs. They are Mr M—n, a Bookſeller in *Boſton*, now in *London*, and always a notorious tool to G——r B——d; Mr O——r, Secretary of the Province, Keeper of the provincial Seal; and well known as a moſt abject ſycophant of his Excellency; and *Veritas*, or, as I conjecture, (whoever may have delivered his productions to the preſs, or fathered it with the Printer,) Sir F——s B——d himſelf. Theſe are men ſo notoriouſly engaged in the *buſineſs of riot-making*, and the avowed enemies of the people of *Boſton*; that any account of that kind coming from them, carries the ſuſpicion of forgery in the very face of it.

But

But they rely on the Seal of the Province to give it credit. I have already mentioned, that the Seal of the Province is in the hands of Mr O——r, a declared partizan againſt the town, and a deſpicable tool to the G———r. And here we have another inſtance of Sir F——s B——d's art, I will not ſay *wicked*, becauſe the ſpirit of his conduct, at this day, needs not any expletive with the public. The Seal was in the hands of his tool; he has it affixed to his own account of this riot, well knowing that the refutation of it would never receive the ſame authentication; and therefore muſt appear, at this diſtance, leſs worthy of belief. He had prorogued the Aſſembly for ſix months; ſo that no public inquiſition could be made into this new aſperſion on the town. So contrived, he promiſed himſelf, that it would have its full effect in bringing an odium on the town before it was detected; and he has manifeſted, on many occaſions, how little he regards the infamy of detection, provided the ſcheme has gratified his vengeance. But hiſtory and daily life, furniſh innumerable examples of wicked men defeating their purpoſes, by the very means they take to promote them. And thus this unuſual and proſtituted, if not illegal application of the provincial Seal to ex-party affidavits, inſtead of ſtamping credit on them, ſerves only to give them the ſtronger impreſſion of partiality and impoſture.

Let us next examine the main pillar, on which this elaborate fabric reſts; the affidavits.

We are told that a Juſtice of Peace, *a particular friend of Mr M—n's*, came from the country into *Boſton*, on purpoſe to take theſe depoſitions. If this does not wear the face of party, what does? *A Juſtice, a particular friend of one of the parties, ſent for out of the country*; why all this, but that they might examine whom they pleaſed, frame juſt ſuch a detail as they thought proper, and keep it ſecret, ſo as to obtain the deſired effect from their forgery, before it could be properly detected?

Upon examining the names affixed to the affidavits, we find them too co-operating to prove it entirely a party buſineſs. The deponents are two officers of Cuſtoms, a printer in partnerſhip with Mr M—n, a ſurgeon of one of the men of war, a captain, lieutenant, corporal, and five common ſoldiers of the 29th regiment; a *Scots* merchant, and a *Scots* taylor. I muſt obſerve, that theſe are ſelected by *Veritas*, as he pretends, out of others; I preſume as the *moſt creditable*.

That the officers of Cuſtoms are partizans, is unqueſtionable; for this is not the firſt time they have ſworn againſt the people; the printer is not only in partnerſhip with Mr M—n in his buſineſs, but notoriouſly too in his reſentment and oppoſition to the non-importation, which was the foundation of this quarrel; the hated purpoſe for which the military were ſent to

Boſton, made them obnoxious to the people; and the outrageous conduct of both officers and men, reſpecting the town, of which the public has at ſundry times had the moſt authentic relations, is ſufficient to ſhew they are decided enemies to the inhabitants; and that a *North-Britiſh* merchant and taylor ſhould be virulent partizans againſt a people contending for liberty, cannot be of very difficult belief.

It is then moſt evident, that theſe depoſitions are, to the laſt degree, ſuſpicious; that they were taken *ex parte*, appears from the confeſſion of *Veritas* himſelf; that they were made by a Juſtice employed for this ſpecial purpoſe, as being a particular friend of Mr M—n; and laſtly, the Seal of the Province *applied* by ſuch hands, gives no credit.

After having acquired, from a peruſal of all his letters, a familiarity with G———r B——d's ſtile, and with his inſidious manner of accuſing every body without charging any particular, ſo as to preclude an immediate refutation; I am at no loſs to conjecture where this violent invective againſt the town of *Boſton* originated. His former accounts of riots, treaſons, and diſaffection in the town, are formed in the very ſame mold with this; and not one of them has yet been proved. I ſhall content myſelf with giving two inſtances of his manner of making general accuſations of the blackeſt dye, which, though falſe, are, from their generality, not

eaſily

eaſily refutable: "It is well known," ſays he, "that *ſome of the Faction*, ſoon after he (Mr "M—n) made his eſcape, entered into a ſo- "lemn agreement to murder him. The inten- "tion of taking out the warrant, as given out "*by ſome of the ring-leaders*, was to get him "(Mr M—n) into the hands of the civil offi- "cers, from whom the mob were to take him, "and then to uſe him as they ſhould think "proper." Here we ſee the general terms of *Faction* and *ring-leaders*, as they ſpecify no one, may be applied to any body; and therefore, no particular perſon can undertake, for himſelf, to refute them.

If, by the *Faction*, we are to underſtand thoſe who are in oppoſition to the Governor's meaſures, we ſhall find them to be the Council, the Aſſembly, the convention, the ſelect men, the merchants and the town-meetings. Theſe have been variouſly ſtigmatized by G———r B——d and his tools, as enemies to all legal government, to liberty and the conſtitution; while he himſelf, with Mr M—n, ſome Cuſtom-houſe officers, common ſoldiers, and *North-Britons*, are the only friends to their King and their Country, the only well-wiſhers to order and good government, and the true friends to the Province and to the people. *Quodcunque oſtendis mihi ſic incredulus odi.*

If G———r B——d intends to ſhew his talent for riot-making, as a means of recommending

mending himself to the present Administration, I heartily wish him success. He may be appointed *Riot-Maker-General*, and send Mr M—n as his deputy to *Boston*.

In the mean time I shall hope, that I have satisfied the impartial public, how little credit is due to his narration of a late riot in *Boston*, with all its parade of affidavits, and the provincial Seal.

I have no acquaintance with any one person concerned in any of these transactions; and am governed in the part I have taken, by a thorough conviction of the pernicious principles and practices of G———r B——d; and of the injurious treatment the people of *Boston*, and of the Province, have received from him and from his tools. Without any other earthly motive, I have made it my business to unfold his flagitious measures to the public, and hold them up to the contempt and detestation they deserve. Till he ceases to be actively vicious, he may depend upon it I will never cease to pursue him; that he should ever be virtuous, is not, in his situation, to be expected.

JUNIUS AMERICANUS.

To the AMERICAN MERCHANTS.

February 1, 1770.

GENTLEMEN,

YOU are at length convinced, that your intereſt calls upon you, to exert yourſelves in obtaining a redreſs of *American* Grievances. But you are in doubt, whether to ſolicit a repeal of *all the Revenue laws*, or that *part of one only* which lays duties on glaſs, paper, and paint.

The reaſons for petitioning againſt a part of one Act, are, That if the whole is attempted, it will diſappoint the repeal of the part; and that the repeal of a part will be ſatisfactory to the Colonies.

Now the ground on which you muſt petition, in either caſe, is the injury derived to commerce by that of which you complain. If Parliament is to be moved by the prayer of your petition, they will give you that relief which you point out to be neceſſary. You are therefore to conſider only what is neceſſary to the revival and relief of your commerce.

The injury your commerce ſuſtains, flows from the aſſociations in *America*, againſt the importation of *Britiſh* manufactures. If we look then into the cauſe of thoſe aſſociations and remove that, the anti-commercial effects will ceaſe.

The

The complaint of theſe aſſociations, ſhould be your complaint; becauſe, from that only the loſſes you ſuſtain, from this interruption of commerce is derived. Now there is not one aſſociation or public act, which mentions the taking off the duties on glaſs, paper, and paint only, as a remedy of their grievances. On the contrary, the Merchants and Traders of *Boſton*, ſince the miniſterial promiſe to this effect was made public in *America*, voted in their Meeting on the 25th of *July*, That the taking off the duties on theſe articles, will by no means relieve the trade; therefore they reſolve to adhere to their agreement againſt importation. And previous to this, the Committee of Merchants at *Philadelphia*, in their Letter of the 5th of *June*, to the Committee here, expreſly ſay, that "confining "yourſelves to the Act, laying a duty on glaſs, "paper, and paint, and taking no notice of "*others of a ſimilar nature*, will not ſatisfy the "*Americans*."

With theſe public evidences of the inſufficiency of obtaining a partial repeal, it is fruitleſs to make the attempt. I cannot think that any man will on a moment's conſideration, oppoſe to *theſe public authorities*, the information of private *individuals*. Every one knows, that neither the opinion nor intereſts of individuals ſhould weigh againſt thoſe of the body at large; that the Merchants here as a body are to be governed by public evidence, not by private inſi-

ſinuations: and that the report of individuals *contradicting in private* what they have *ſigned in public*, is a treacherous conduct, which muſt be prompted by ſelf-intereſt, or ſelf-opinion, and better deſerves contempt than credit.

Having thus ſhewn, that a partial repeal will not ſuffice to allay the diſcontent of our Colonies; let us next examine what will be adequate to this deſirable end. To this purpoſe, let me obſerve, that what the *Americans* really complain of, is the raiſing a Revenue upon them without their conſent. Every Revenue-Act, therefore, in which this principle is avowed, is obnoxious, will keep up the diſcontent of our Colonies, and prevent the re-eſtabliſhment of our trade. Such Acts then are anti-commercial, and for that reaſon ought to be the ſubject-matter of your petition.

To convince you that this is the expectation of *America*, I may refer you to the general and conſtant tenor of their aſſociations, inſtructions and reſolves. I will not trouble you with reciting them all here, but thoſe which I ſhall give are ſo explicit and authoritative, that they will, I conceive, remove every ſhadow of doubt on this ſubject.

The Merchants and Traders of the Town of *Boſton*, at their meeting on the 26th of *July*, ſay, they had reaſon to expect, "that all the Acts "impoſing duties on goods imported into the "Colonies, for the purpoſe of raiſing a Reve-

"nue

" nue in *America*, would be repealed; and it is " voted, That they will ſend no orders for any " goods contrary to their agreement, unleſs the " Revenue-Acts are repealed."

The Committee of Merchants in *Philadelphia*, in their excellent Letter of the 8th of *April*, inform you, that " the *Americans* conſider " themſelves as *Britiſh* ſubjects, intitled to all " the rights and privileges of freemen. They " think there can be no liberty without a ſecu- " rity of property; and that there can be no " property, if any can, without their conſent, " deprive them of the hard-earn'd fruit of " their labour. They know that they have no " choice in the election of Members of Parlia- " ment, and from their ſituation never can " have any; every Act of Parliament, there- " fore, that is made for raiſing *a Revenue in* " *America*, is, in their opinion, a depriving " them of their property without their conſent, " and conſequently an invaſion of their liberty. " If then the Acts cannot be repealed while " the Miniſtry objects, and if to remove their " objections the *Americans* muſt give up their " ſentiments, we muſt candidly confeſs, we have " little hopes of a repeal ever taking place. " Much leſs is it to be expected that the Mer- " chants will preſume to petition Parliament, " *on the principle of inexpediency only*, when every " Aſſembly on the Continent, are applying for " a repeal on the *principle of right*. The Mer-

" chants are too ſenſible how jealous the *Ame-*
" *ricans* are of their liberty, ever to hazard
" ſuch a ſtep. We apprehend that advantage
" may have been taken from a ſuppoſed diſ-
" union of the Colonies, and therefore think it
" our duty to inform you, that the Merchants
" of this Province, have always agreed with the
" other Coloniſts in opinion, that the late Re-
" venue-Acts were unconſtitutional, though they
" refuſed to adopt a meaſure which at one time
" they believed to be premature."

This Letter is ſigned by the principal Merchants, Quakers as well as others. You may perceive the principle on which they proceed, is that which I have already mentioned. And as every one muſt know, that nothing has happened to alter this principle, it cannot be preſumed that they have changed their ſentiments and determinations founded upon it; nor that any repeal, but that of *all* the Acts paſſed for the purpoſe of raiſing a Revenue upon them, will ſatisfy their expectations, and diſſolve their aſſociations againſt importation; and if any individuals here or there, who have ſet their hands to this agreement, ſhall tell you that a partial repeal will ſuffice, their information muſt be bad, and their treachery is too evident not to merit and meet your diſapprobation. For can any one ſeriouſly think, that the evaſive promiſe of a Miniſter, who happily is to-day, and tomorrow is not, could delude wiſe men into a change

change of meaſures, grounded upon the matureſt deliberation, and the ſoundeſt principles?

The aſſociation of *Virginia* is alſo expreſs in this particular, "That they will not at any time "hereafter, directly or indirectly, import or "cauſe to be imported, any manner of goods, "*&c.* which are, or ſhall hereafter be taxed "by Act of Parliament, for the purpoſe of "raiſing a Revenue in *America*; nor purchaſe "any ſuch, but ſhall always conſider ſuch tax-"ation, in every reſpect, as an abſolute prohi-"bition." It is well known how the other Colonies have harmonized with *Virginia*, as well in this as in the Reſolves of their Aſſembly, againſt the principle of raiſing a Revenue upon them againſt their conſent.

From theſe moſt authoritative proofs the ſentiments of *America* are manifeſt; and it is ſubmitted to your wiſdom, whether attempting a partial repeal will not be labour in vain, when it is plain that nothing but a general repeal will anſwer your purpoſe of reſtoring commerce to its former tide.

It has been propoſed to you to wait upon the Miniſter, and act as he ſhall adviſe. What you would wiſh in an adviſer is ſincerity and knowledge. Do you expect more knowledge of your own affairs in the Miniſter, than you find in yourſelves? or will you hope to meet ſincerity in a Courtier? the contrary of which is ſo proverbial, that a ſchool-boy would be chaſtiſed for any re-

liance

liance on it. How then is a Miniſter a proper Counſellor, or what elſe will he counſel you to do, but that which moſt promotes his private intereſt, or ſupports his particular opinion? He will regard and uſe you as his tools. I would wiſh to remind you how little ſuch a proceeding becomes the dignity of ſome of the firſt Merchants of the firſt trading city in the firſt commercial kingdom in the Univerſe. But the Miniſter is to tell you whether it is agreeable and expedient. It is your part to conſider only whether it is uſeful and neceſſary; if it is ſo, let the reſt be ſubmitted to the wiſdom and juſtice of Parliament. Be juſtly ſenſible of your own weight, act an independent part, and ſcorn to be the tools or ſervilely to wait on the nod of any miniſter. Will he reimburſe you for the loſſes your delay will infallibly occaſion? Some perhaps he may, which prompts their aſſiduity in deluding you into ſo unwiſe and unbecoming a meaſure.

Upon the whole, Gentlemen, I hope you will be ſatisfied, that it is your intereſt to apply for a repeal of all the Revenue-Acts; and that any application to the Miniſter is neither wiſe nor eligible.

JUNIUS AMERICANUS.

To the Right Honourable Author of a late Speech.

December 12, 1769.

HOWEVER conſtitutional, virtuous, or commendable, the preſent oppoſition to a wicked M——y may appear; however neceſſary it may be to excite the indignation of the people, even to conſume them in vindictive wrath: Yet it ill becomes you, Sir, to ſtand forth as an advocate of a nation, whoſe greateſt injuries are chiefly chargeable on you. How can you thus inſult the underſtanding of a ſenſible people, by impudently aſſerting their rights, which you have ſo laviſhly thrown away, and which you never mean to ſecure? How can *you* pretend to any tenderneſs for the people, whom you, not five years ſince, like a haughty tyrant, ruled with a rod of iron? How can *you* plead the laws of Parliament in favour of Mr *Wilkes*, after you have proſtituted all law and juſtice to gratify the E—l of B— in his perſecution?

I deteſt the preſent M——y becauſe they tread in your ſteps, they are influenced by the ſame venal motives, to compleat your plan of deſpotiſm. I wiſh ſucceſs to the oppoſition, becauſe I have reaſon to believe many of them have real virtue, and deſpiſe you. But I muſt confeſs their reputation is tarniſhed by your alliance.

Your

Your two brothers might have ſecured a conſiderable ſhare of popular confidence without you; but they muſt have great addreſs indeed to hide in oblivion your blunders and venality; and to do this they muſt deprive us of our feelings.

That part of your ſpeech which relates to the expulſion of Mr *Wilkes*, I leave, as fully anſwered by one of his friends, which ſpirited anſwer I earneſtly recommend to the public. As I have undertaken the defence of *America*, I am under a neceſſity of making ſome obſervations on thoſe ſentences, which ſo nearly concern our fellow-ſubjects in that part of the world.

You draw one argument from the *preſent diſobedience of our Colonies*. What diſobedience, Sir, when or where manifeſted? Can you be ſo unjuſt as to call diſcontent with the *principles* of an Act, *diſobedience* to its *operation?* Yet what elſe can you truly charge againſt *America?* The Revenue-Acts with their whole pernicious ſyſtem, have been carried into full and fatal execution from one end of the Continent to the other. I defy you, Sir, to ſhew a ſingle inſtance of infraction in thoſe laws, more than what daily happens, and muſt happen, in every country where there are laws to be infringed. The great incendiary between this country and *America*, has not gone farther than aſſerting a *diſpoſition* to diſobedience in the town of *Boſton*; which, I believe, the enemies of *America* conſider as moſt diſpoſed

diſpoſed to oppoſition; and ſhall a *local charge* from one avowedly inflamed with the moſt violent animoſity, be adopted, by you againſt a whole *country*, not only adopted, but agreed upon as unqueſtionable fact?

Remember, Sir, what you yourſelf have told us, "that we are to found our judgment upon "ſpecific facts alledged and proved." Where, Sir, are the ſpecific facts alledged and proved, of diſobedience in our Colonies? Is this juſt and ſacred mode of judging to be obſerved in the caſe of an individual; and violated in that of a whole people? Are the equal and eternal principles of natural equity, of truth, of juſtice, to which you appeal, to be abſolutely abandoned, whenever *America* comes in queſtion? Is this the *conſiſtency* on which you are to *value yourſelf?* Are you actuated againſt that injured, miſrepreſented, and inſulted people, by that *prejudice* which you call a *weakneſs*, or that *indignation* which you term a *wicked paſſion?*

Whatever falls from ſuch a man, in ſuch a place, and in ſuch a queſtion, falls with weight; and if unjuſt, may be greatly injurious. However circumſcribed in words, in its operation it may be dilated into a pernicious magnitude. Thus it will go through this nation, with all the authority of your ſpeech, that our Colonies *are in a ſtate of diſobedience*; than which, for I muſt ſpeak plainly to you, Sir, nothing can be more untrue in fact, nothing more fallacious in

argument. Our Colonies are not *diſobedient*, but *diſcontented*; this diſtinction is in policy of infinite moment. Did they refuſe to pay the duty on conſumption, it would be diſobedience; but their not conſuming our manufactures, is diſcontent; force might puniſh, and perhaps, however ineligibly, correct their diſobedience; but againſt the effects of their diſcontent, it cannot operate. You may compel them to pay the tax on the articles conſumed, but how will you force them to the conſumption? This is a field of conteſt, in which they are as ſtrong as you are weak; the more force you uſe the more fatal will be the recoil upon yourſelves. The diſuſe of your manufactures, while it impoveriſhes you, will enrich them. The more you urge this hated oppreſſion, the more univerſal and unalterable will you render their averſion to *Britain*, and to her manufactures.

Such being the evident ſtate of this matter, let me aſk you, Sir, whether your *American* ſyſtem be not a *new and dangerous mode* of proceeding? or what good purpoſe it can anſwer, to be eternally reiterating theſe common place and groundleſs invectives againſt our Colonies? Whether, to uſe your own words, "under our preſent circumſtances it does not behove us to be doubly cautious, not to exceed the ſtricteſt bound of law and the conſtitution?" "Is it not more adviſeable, if the caſe can admit of a doubt (and that the *American* caſe does ſo

"you

" you cannot ſurely deny) to conciliate the
" heated minds of men by temper and diſcre-
" tion, than to inflame them by adding freſh
" fuel to diſcontent? Our ſituation, I am ſure,
" demands the firm ſupport of an united peo-
" ple, and an affectionate reliance on the wiſ-
" dom of thoſe who govern them. Till that
" can be reſtored, we may look around for or-
" der and for obedience in vain."

By what fatality is it, Sir, that you cannot perceive thoſe arguments operating with equal force againſt your *American* policy, as againſt the preſent miniſterial ſyſtem in this country? With what face can you affect to feel them in the one caſe, and not in the other? For in the *American* Acts have you not at all exceeded the ſtricteſt bounds of the conſtitution? Is it not wiſe policy to conciliate the affections of the Coloniſts, and high imprudence to inflame their reſentments? Is not their cordial attachment to us, and their reliance on our wiſdom and juſtice, deſirable and neceſſary? And without theſe ſhall we look for order and obedience, in that country, with more propriety than in this?

Vain, I am afraid, will be an appeal to you, on the principles of prudence, wiſdom, and juſtice; not one ray of theſe having appeared in your whole ſyſtem for *America*. You have deemed it unworthy the character of a great and wiſe man, to forego an opinion once adopted.

On the affairs of *America* you are therefore perpetually to harangue, inſtead of reaſoning, to aſſert inſtead of proving, to inveigh inſtead of adviſing. While you endeavoured to exaſperate others, you have fired yourſelf. You therefore look towards *America* through an inflamed medium, in which every ſentiment and action of that people, turn their complexion, and appear moſt monſtrous; big with diſaffection, diſobedience, ſedition and treaſon. But give me leave to tell you, that you are deceived by fictions of your own creation. In oppoſing the univerſal ſenſe and rights of the *Americans*, you are combating inſuperable obſtacles. The cauſe of *America* ſtands on the unalterable rights of men, a due ſenſe of which will animate the laſt drop of their blood to ſtruggle againſt injuſtice and oppreſſion. So animated, the bitterneſs of your malice will be poured out againſt them in vain; the heat of your wrath will be kindled without effect. It may indeed produce a convulſion which no good man would wiſh, but which, unhappily for mankind, bad men have it too often in their power to excite. Yet *America* will riſe ſuperior to their efforts.—*Merſes profundo, pulchrior evenit.*

JUNIUS AMERICANUS.

To the D—— of G——.

February 10, 1770.

IN a very auguſt Aſſembly, on a late ſolemn occaſion, you was pleaſed to aſſert, that "Colonel L—— would have had the majo-"rity of votes at the Election for *Middleſex*, had "not the virtuous and honeſt Freeholders been "awed and intimidated from attending, by the "fear of their lives." My L—d, you ſurely did not expect, that an aſſertion ſo injurious and unjuſt, would paſs unnoticed or unrefuted. But you would hazard any future infamy of detection, for the preſent advantage of deceiving. It almoſt gives me pain, indeed, to treat you as you merit; becauſe it muſt increaſe that load of juſt cenſure, which has already borne you down to almoſt the loweſt degree of humiliation and contempt.

But let us bring this aſſertion to the teſt of *fact*, againſt which you have been wreſtling thro' the whole courſe of a miſerable adminiſtration, and examine what reaſon there was for apprehenſion of violence from the friends of Mr *Wilkes*.

Among the baſe and innumerable falſhoods which the hireling maligners of other mens reputations, and blanchers of your's, have framed, they

they have not charged the death of any one perſon, to the moſt outrageous mob that your deſpotic conduct ever raiſed. Even when a ſet of mercenary merchants carried the honour and dignity of this great city to public proſtitution, the reſentment of the populace went no farther than breaking the ſhins of *Scotchmen*. When too, after the ſcenes of violence and bloodſhed, which miniſterial management had introduced at *Brentford*, the deſpicable *Dingley* was appointed to bear your arbitrary ſtandard againſt the banners of free election, what actual injury did he ſuſtain? He, it is true, like your G——e, awed by the terrors of a guilty conſcience, ſhrunk from the trial and abandoned his poſt. But his fears were not to be interpreted as real dangers; and I ſhall be extremely ſorry if your apprehenſions prove as groundleſs as his.

Again, when you brought forth your abandoned champion, what cauſe of intimidation then appeared, or what *Engliſhmen* were thoſe who could be deterred, by their own groundleſs apprehenſions, from exerting this important truſt? Was you aware of the compliment you paid, in this aſſertion, to the ſpirit of your friends in *Middleſex?* or were they ſatisfied, from your previous declaration, that a brave and virtuous majority in the H—— of C———, would, under the auſpices of your G——e, elect the man whom they deſerted? In truth, you did not hazard any offence to your friends; ſince

ſince both they and their fears were equally the creatures of your G——e's embelliſhing imagination.

It is the friends of liberty whom, by imputation, you have thus ſhamefully traduced, to whom you intended and have given the offence. And let me tell your Grace, that there is not a freeholder of them all, who, ſtanding upon equal ground with you, would not retort this foul aſperſion in your teeth. Not even the pooreſt of thoſe freeholders, whom you and your baſe advocates, forgetting every principle of our free conſtitution, and the dignity of *Engliſhmen*, have dared to call *the baſe-born, plebeian ſcum of the earth*, has deſerved this calumny of being reputed a murderer, (for this your words import,) or would bear it from you.

Your G——e may think I treat you freely. When you treat freemen with indignity, you muſt expect to be cenſured with freedom. And, weigh the matter fairly, where is the ground of your pride? Your title flows from the vices of an abandoned Prince; their's, from the virtue of their fathers. What wonder then, if I hold them more ſacred in the virtuous poſſeſſion of a generous birthright, than you in the proſtituted honours of a ſpurious nobleman? Remember, my L—d, that title and high birth do not give, but infer honour, dignity, and virtue. And when you ſhew yourſelf deſtitute of theſe, ſpite of your pride, you muſt, in the eſtimation of

every

every honeſt man, ſink below the level of the untitled and ignobly born.

I have ſhewn how groundleſs your charge is, of intimidation coming from thoſe who, in deſpight of all miniſterial influence, eſpouſed the cauſe of liberty. Let us now ſee, whether you and your aſſociates, in fact, ſtand equally excuſed. Who was it then, my gracious L—d, who let looſe a ruthleſs band of hired ruffians on thoſe freeholders who ſupported the cauſe of freedom at the election of Mr *Glyn?* Who was it, my good L—d, who, when theſe murderers were fairly tried, convicted and condemned, adviſed his M——y to extend to their atrocious crimes his r——l mercy? And this, by ſetting up the ſhameful opinion of ſome unſworn Court-Surgeons, above the verdicts of three legal Juries; and the awful ſentence of a Court. Was not here cauſe of intimidation to the popular party, when they beheld their fellow freeholders of the ſame ſentiment, butchered by hired ruffians, and the murderers ſcreened from all puniſhment, by the moſt unprecedented extenſion of mercy, in defiance of the laws of the land, and of the univerſal cries of juſtice? But the freeholders of *Middleſex*, with the ſpirit of *Engliſhmen*, conſcious of the goodneſs of their cauſe, went, fearleſs and unawed by all the terrors you held forth, to ſupport their rights, and to reiterate their former choice.

My

My L—d, you pretend, that you had good information to warrant your aſſertion. From whom did your information come? From the feathered coxcomb who is *your repreſentative*, or from a *quondam maitre d' hotel* to Sir G. O——e, and an *American* Governor, now the ſelf-important advocate for *America, when the Miniſtry will permit him?* Or was it from the ſage Maſter in Chancery, who was, under your direction, one of the honourable conſtituents of this errant-knight? From ſuch ſources your G——e muſt have drawn the pureſt intelligence; and truly, my L—d, your information bears the genuine reſemblance of its chaſte original.

Indeed, my L—d, theſe reſources will not ſerve you long. The enchantment is broken, that Treaſurer's wand, which ſpread a glory round you, to make knaves adulate, and fools applaud. Your G—e muſt look for ſome other enchantment; and, by my advice, you will ſeek it only in wiſdom and in virtue. For it is not in folly to commend, or knavery to praiſe in any, but in a Miniſter, ſuch ſophiſtry as is at once contemptible and wicked. Much, indeed, do I fear, that your blood is too much corrupted to admit of any remedy, but from that inſtrument which a ſeries of broken faith and violated rights drew down, in juſtice, on the neck of your ill-fated anceſtor.

JUNIUS AMERICANUS.

A DEFENCE *of a late* PROTEST.

March 3, 1770.

A Writer, under the ſignature of *Meſſala*, has lately favoured us with his ſentiments on an important determination in a certain Houſe, which he *modeſtly* hopes is a compleat anſwer to a late Proteſt. He offers his ideas, as thoſe of an impartial man; and in the true ſpirit of Court Impartialiſts, denominates thoſe who differ from him, *pretended Patriots*; and their arguments he terms the *vehement noiſe of faction and prejudice.* To an impartial man, they who differ with him in ſentiment, will appear to be miſtaken, not prejudiced; and it is the ſtrongeſt mark of prejudice in ourſelves, to ſuppoſe our opponents neceſſarily under its influence; as in the eye of an intoxicated man, every other perſon ſeems to be reeling and inebriated.

Yet I am far from thinking *Meſſala* is under any prejudice in this matter, for prejudice infers ſome degree of honeſty. I mean only to ſhew how ill he ſuſtains the impartial character he has aſſumed. Neither will I imitate him in profeſſing what I do not feel; but will candidly declare, that I am an advocate for the rights of the people, againſt the unconſtitutional views of an hypocritical C——t, and the uſurpation of a corrupt H. of C.

Having

Having thus placed *Meſſala* and myſelf in a true light, I proceed to examine thoſe redoubted arguments, which he has the vanity to deem a complete anſwer to a Proteſt, the moſt momentous in its ſubject, and the graveſt in argument, that was ever yet offered to the conſideration of this great and wiſe people.

We are told, in the firſt place, that it is an eſtabliſhed maxim of government, that abſolute authority muſt be placed in ſome department of the State, and that our three eſtates of Parliament, collectively taken, are veſted with this abſolute authority. Let us, for the ſake of argument, allow theſe poſitions to be undeniable, and we ſhall find him in the very next ſentence ſubvert his own maxim. For here it is aſſerted, that each eſtate of Parliament has claimed and exerciſed an abſolute power. Now therefore inſtead of one abſolute body, we have four; ſo that the boaſted conſtitution of *England*, ſo far from being free, is a multiplied deſpotiſm, and the three eſtates of this realm, in the place of being, what they were intended, ſuch checks on one another as to prevent tyranny from exiſting any where, are three ſeparate, independent, coexiſting, abſolute bodies. Hence the people at large are the ſlaves of the three eſtates collectively, and of each eſtate individually. Our conſtitution, therefore, was not formed to ſecure the liberty of the ſubject for the benefit of the people, and the excluſion of deſpotic power; but

to eſtabliſh this many-headed monſter of a four-fold deſpotiſm.

Where was it *Meſſala* found this bleſſed idea of our conſtitution? Not in *Locke*, nor in *Milton*, nor in *Sidney*, nor even in *Monteſquieu* *. Perhaps he borrowed it from that magniloquent Penſionary, who, immured within the dirty walls of his own habitation, frames from his *ſpontaneity*, *imaginary modes* of procuring Petitions, and ſpreading *Falſe Alarms*.

But *Meſſala* thinks he has mended the matter by adding, that the abſolute power exerciſed by each party, is in matters which concern themſelves. This is a pretended, not a real reſtriction, of their arbitrary power; becauſe they will be the only judges of what matters concern themſelves. He has aſſerted this in another place, where he ſays, "The C——s ſhould "be allowed to be the beſt, as they are the only "judges of their rights and privileges, as a "body." So that if ever they are inclined to exerciſe deſpotic power, they have only to determine it a matter which concerns themſelves; and however ſubverſive it may be of the law of the land, of the unqueſtionable principles of the conſtitution, of the rights and liberties of the people, and of the other branches of the Legiſlature, we

* He, though a *Frenchman*, has declared; that the *Engliſh* is the only Nation in the world, which has made *civil* or *political* Liberty the end of their conſtitution. See *Spirit of Laws*.

we muſt all ſubmit to it in ſilence, or *Meſſala* will tell us, " it is a matter of internal order, " into which no man, or body of men, have " a right to inquire." This is the doctrine by which Mr L——— ſits in the H——. Let us then only ſuppoſe it *continued*, as it has *begun*; the C—t has a majority, no matter how acquired, that majority expel their chief opponents, that expulſion incapacitates; Court Candidates are ſent forth to ſtand againſt thoſe who are expelled, they have a few votes, and upon thoſe are admitted into the ——— as legally choſen. With this mode of election, how long will that H—— be the repreſentative of the p——e; or who could deviſe a more eaſy and expeditious method of depriving the people of their only ſhare in the Legiſlature, through their repreſentative, and their only ſecurity againſt arbitrary and illegal government?

From this fair view of the ſubject, it muſt be manifeſt to every impartial reader, that the proteſting L—ds have, with perfect propriety, declared the proceedings of the Lower H——e to be, " an injury to the Electors of *Great Bri-* " *tain*, a moſt dangerous uſurpation upon the " rights of the people, which, by ſapping the " fundamental principles of this government, " threatens its total diſſolution."

Meſſala has incautiouſly dropt an obſervation, which ſhould furniſh to the breaſt of every man, the ſtrongeſt reaſon for condemning the meaſure

which

which he ſupports. It is that "deſpotic views "are inconſiſtent with bodies ſubject to change." It is certainly ſo, and therefore every friend to Liberty ought to wiſh to keep the Members of the H——e of C———s ſubject to change, by depending on the people for their re-election, and not on the Crown, or on a corrupt ———, as in the caſe before us, bribed to the views of the Crown. Deſpotiſm will always be to the prejudice of the people, and in favour of the Crown; therefore thoſe who depend on them will ever oppoſe it; the dependents on *that* will always eſpouſe it. It is upon this principle in our conſtitution, that the people have, by their repreſentatives freely choſen by themſelves, a ſhare in the government. Should they loſe this right of election, by the uſurpation of any other body whatever, they loſe their ſhare in the Legiſlature, and their liberties are gone for ever.

But this writer ſilences us at once, by a piece of logic, as juſt as it is deciſive. "Let it be ille-"gal, or not," ſays he, "it is done, cannot be "altered, and there is an end of it. The H—e "cannot reſcind their own judicial reſolutions." This is his reaſon. When we are to inquire into the legality of this reſolution, we are told, it is a matter of internal order, with which no one elſe is concerned. But when it is to be reſcinded, it is then a judicial reſolution, which, as it concerns others, the H——e itſelf muſt not

not reviſe. So puzzled in the extreme are theſe unhappy men, that they are obliged to give this queſtion all the ſhapes of Proteus; hoping, that in ſome of them, it will ſlip from the judgment of mankind, and elude the ſearch of reaſon, and of truth.

It is really ridiculous to ſee, to what miſerable ſhifts the advocates for this meaſure are driven. Firſt, they ſupported it with the greateſt confidence on precedent; but enquiry having proved, that there is not one precedent for it, and ſome the reverſe; *Meſſala* now tells us, the H——e may make a precedent. And what is his reaſon? why, becauſe wiſe judges, with a more limited authority than the H——e of C——s, may decide according to conſcience, where neither precedents or ſtatutes apply. Admitting this, is it any reaſon for their deciding contrary to precedent and law? Does he know any Court that has this power? But this is the point in queſtion; for it is aſſerted that the —— of —— have decided contrary to law; therefore the diſcretionary powers veſted in Courts, to ſupply the defects of law, are foreign to the queſtion.

" In a judicial capacity," continues this writer, " a Court may commit an *error*, but cannot be " guilty of an *illegality*." There never was a poſition more abſurd or more untrue. Are not the Judges ſworn to determine according to law? Does not this prove that they are capable of deciding contrary to law; and what is a deciſion

contrary

contrary to law, but an illegality? Were not the Courts which tried and ſentenced Lord *Ruſſel*, and Colonel *Sidney*, competent and judicial; yet were not their proceedings illegal, and moſt ſolemnly pronounced to be-ſo at the Revolution? So that nothing is more manifeſt than the reverſe of that propoſition; and that a Court, in a judicial capacity, may and has been guilty of an illegality.

" In vain," ſays *Meſſala*, " has the deciſion " on the *Middleſex* Election been called illegal, " as the H——e has the ſole right to inquire " into matters of election." Never ſurely was there ſuch a reaſon given for any aſſertion. The H——e cannot decide illegally, becauſe they only are to decide. How are they to decide? According to law, are they not? Suppoſing then the law to be known, as that a Nonjuror, ſuch as the author of the *Falſe Alarm*, ſhall not ſit in the H——e, and yet they admit him; ſhall we ſay this deciſion is legal, becauſe they only have a right to inquire into matters of election? Can any thing be more abſurd? Neither is it true, that in matters of election, the H——e has the ſole right of inquiry. I can produce ſuch authorities to the contrary, as will, I am ſure, convince every impartial reader; however little they may affect *Meſſala* and his friends. The caſe of *Aſhby* and *White* is a ſignal inſtance of this right being called in queſtion, and proved moſt uncontrovertibly, by the greateſt conſtitutional lawyers,

lawyers, and firmeſt friends to the Revolution, with which this country was ever bleſſed, to be unconſtitutional, and a dangerous uſurpation on the rights of the people. My Lord *Somers*, it is well known, ſtood at the head of the Lords when they queſtioned this illegal proceeding of the Commons; in conſequence of which, that Parliament was in the end diſſolved.

A ſimilar and deciſive inſtance is of later date: In 1745, judgment was given in the Court of Common Pleas, in favour of Sir *W. W. Wynne*, againſt *Middleton*, Sheriff of *Denbighſhire*, for a falſe return. The Houſe of Commons had adjudged the return legal. A writ of error was brought upon this deciſion of the Houſe of Commons, for reverſing the judgment of the Court. It was argued, ſays the reporter, *Serjeant Wilſon*, three times, in the moſt ſolemn manner, when the judgment was affirmed. My Lord Chief Juſtice *Wills*, in his argument on the writ of error, has theſe moſt remarkable words; "We are not bound by law, to take "notice, from time to time, of the particular "*reſolutions* of the *Houſe of Commons*, who of "themſelves cannot *make a law*. I declare for "myſelf, that I never will be bound by any de-"termination of the Houſe of Commons, againſt "bringing an action at common law, for a falſe, "or a double return, and the party injured may "proceed in *Weſtminiſter-Hall*, notwithſtanding "any order of the Houſe. For the Members

"are

" are not upon oath, nor can they adminiſter " an oath to witneſſes; and it would be very " extraordinary to ſay, that we who are Judges " upon oath, ſhould be bound by the determi- " nation of perſons not upon oath. In trying " ſuch actions for a falſe return, I would pay " a great regard to the determination of the " Houſe; but I would go on."

Theſe inſtances, though there are many more, ſufficiently diſprove the aſſertion of *Meſſala*, that the H——e of C. has the ſole right to inquire into matters of election.

I muſt now take the liberty of inſtructing this writer a little, in a point of hiſtory. " Our fa- " thers," ſays he, " expelled a whole race of " Kings, for interfering with the Commons." When he reads that tranſaction with proper accuracy, he will find the fact to be, that our fathers expelled a whole race of Kings, for attempting to ſubvert the free conſtitution of this kingdom, and to bring the people under an abſolute government; and I ſincerely hope their ſons will expel any race of ——, that ſhall preſume to make a ſimilar attempt. The Houſe of Commons being true to the truſt repoſed in them, were, as they ought to be, the reſpectable head of the people in this moſt laudable proceeding. But let not *Meſſala* and his friends deceive themſelves, by imagining, that though one part of this community ſhould betray their truſt, and ſtab the cauſe of liberty and

of

of the conſtitution, the nation at large will therefore abandon it. There is a vital and invincible ſpirit of liberty in every part of this empire, which will be fatal to thoſe who attempt to violate their conſtitutional rights. The people well know, that deſpotiſm, however introduced, is equally deteſtable; that there are many ways of obtaining the ſame end; and though the method ſhould at any time be different from that of the tyrannical *Stuarts*, they will not therefore heſitate to oppoſe it. They are as little inclined to admit ſix hundred tyrants, as our fathers were to ſuffer one. They have read of the *Decemviri* of *Rome*, the Two Hundred at *Athens*, and the Senate of *Venice*; and they think the ſlavery of the people was more miſerable under them, than in general under any individual tyrants. So informed, and ſo determined, it may well be hoped, that if ever an attempt ſhould be made to enſlave this nation, through its repreſentatives, the attempt will recoil with vengeance upon the heads of thoſe who make it.

We come now to the laſt argument, in ſupport of this deciſion on the *Middleſex* E——. This, it is ſaid, being the judicial deciſion of a Court, cannot be reverſed without a breach of public faith. A little before, this proceeding was pronounced to be a matter of internal order, merely concerning themſelves, and therefore with which the public had no right to interfere. It was a point of principle, in which the H—e

only was to judge. But now it is a matter of ſuch public concern, that the H——e itſelf cannot meddle with it, without injuſtice to the public. Having thus intrenched the public with abſurdities, the writer flattered himſelf, that he had effectually ſhut it up from an inquiry. But he is deceived, and ſhall neither perplex us with his inconſiſtencies, nor delude us with his falſe and fraudful notions of honour.

When is the dignity and honour of a Court diſgraced? Then, when that Court decides in violation of public right and public juſtice; not when it reverſes that deciſion: then, when influenced by the moſt corrupt motives, they betray the truſt repoſed in them; not when they redreſs the injury ariſing from that violated faith.

Even admitting it to be an error only, if that error is big with conſequences moſt fatal to that ſacred conſtitution which we are bound to preſerve at every hazard; ſhall we ſit manacled by common forms, and ſee the ruin ſpread without interpoſing to avert deſtruction? When a houſe is in flames, do we heſitate to ſave the reſt by pulling down thoſe that are adjoining, becauſe, in the common courſe of things, it would be injurious and unjuſt? And ſhall we interpoſe with leſs zeal to ſave the conſtitution from ruin, than to preſerve a ſtreet from fire?

We are to conſider then the nature of this deciſion, its tendency, and the conſequences it is likely

likely to produce. If theſe are evidently great and ruinous, he who adviſes us to ſuffer them rather than diſpenſe with ordinary forms, is actuated by the ignorance of a fool, or the art of a villain.

The fact is, that this deciſion concerns every freeholder of *Britain* as much as the H——e of C——s. Yet *Meſſala* aſſerts, that it turns upon a point of privilege. He has made it turn on every point of the political compaſs, and it will reſt on none; for it is forced and fraudulent. But if the doctrine involved in all this be, that the privileges of the H——e muſt be founded and maintained in the ſubverſion of the rights of the freeholder; it is a doctrine which every freeholder in the kingdom ought, in his own perſon, to reſiſt. I maintain it, that every freeholder is bound to reſiſt every ſuch attempt in his own perſon, and to the laſt drop of his blood.

As long as their deciſions operate within their own walls, there let them reſt; but when they go forth among the people, trample upon their rights, and tear up property by its roots, the franchiſe of freehold, ſuch deciſions muſt be reſcinded, or our conſtitution and all its boaſted liberties muſt periſh.

From comparing ſentiments and ſtyle, it ſeems to me, that the author of this Piece and of the *American* Controverſy, is the ſame perſon. He is endeavouring, for I cannot think any other perſon

perſon would take the trouble, to ſpread his pernicious ſophiſtry againſt *America*, by publiſhing his unread pamphlet, in extracts, under certain ſignatures in the daily papers. Having endeavoured to ſupport the right of the H——e of C——s to an abſolute and unconſtitutional power over the people of *America*, it was perfectly conſiſtent to veſt them with the ſame authority over the people of *Great Britain*. Uſurpation knows no bounds, and the ſpirit of deſpotiſm is for ever unſatisfied. When the repreſentative freedom of the Colonies was firſt uſurped by a certain Body here, wiſe men foreſaw, that the ſame uſurpation would be attempted in *Great Britain*. The event has juſtified the apprehenſion. Every honeſt man is convinced, that the cauſe of *America* is the common cauſe of the realm; that both countries have the ſame complaint, the ſame foes, and therefore claim the ſame friends.

Upon the whole, it muſt appear to every candid mind, that the arguments of *Meſſala* are contradictory, deceiving, and dangerous. That the queſtion is not about the privileges of the H—e of C——s, but the rights, the ſacred rights of the freeholders of *Great Britain*. That theſe rights have been violated by a late *celebrated* deciſion; which is, therefore, unjuſt. That an illegal deciſion ought in juſtice to be reſcinded; and this the more immediately, the more dangerous it may be. That the voting Mr L——l

into

into the H——e, contrary to a majority of legal votes upon the poll, is aſſuming a power which the conſtitution never gave, and which cannot be exerciſed but to its mortal injury. For, as the Proteſt moſt wiſely obſerves, " If ever this " pretended power ſhould come to be exerciſed " to the full extent of the principle, that Houſe " will be no longer the repreſentative of the " people, but a ſeparate body, altogether inde- " pendent of them, ſelf-exiſting and ſelf-elected." To this fatal iſſue does this d——n directly lead, than which a greater calamity can never befal us, except one, and that is, *a tame ſubmiſſion to its exerciſe.* For we ſhall then miſerably find, inſtead of *one tyrant*, which our fathers oppoſed in the Houſe of *Stuart*, *ſix hundred* in the H. of H——r.

JUNIUS AMERICANUS.

[*To be continued.*]